

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62996 of 2024

Arising Out of PS. Case No.-43 Year-2024 Thana- RAXAUL District- East Champaran

Sharwan Kumar, Son of Shambhu Kuwar @ Shambhu Singh, Resident Of
Village- Kushmati, P.S.- Riga, Dist.- Sitamarhi.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Pravin Kumar, Advocate
For the Opposite Party/s	:	Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 20-09-2024 Heard learned counsel for the petitioner and Mr. Md.
Fahimuddin, learned APP for the State.

2. The petitioner in the present case is seeking regular bail in connection with Raxual P.S. Case No.43 of 2024 registered for the offences punishable under Sections 25(1-b)a, 26, 27 and 35 of the Arms Act. He is in custody since 18.02.2024. The petitioner has got two criminal antecedents.

3. As per prosecution story, on disclosure made by the petitioner, two country made pistol and four live cartridges have been recovered from the house of the co-accused Vishal Kumar Singh.

4. Learned counsel for the petitioner submits that the there is no recovery of fire-arm from his possession, though it is stated that on the disclosure made by him recoveries were made

from the house of co-accused Vishal Kumar Singh. It has been pointed out that today itself in Cr.Misc. No. 62267 of 2024, the said Vishal Kumar Singh has been granted bail by this Court.

5. Learned APP for the State has opposed the prayer for regular bail of the petitioner.

6. Having regard to the submissions that so far as this petitioner is concerned, there is no recovery of fire-arm from his possession, though it is stated that on the disclosure made by him recoveries were made from the house of co-accused Vishal Kumar Singh, it has been pointed out that today itself in Cr.Misc. No. 62267 of 2024, the said Vishal Kumar Singh has been granted bail by this Court, considering all these aspects of the matter and the fact that the petitioner is in jail since 18.02.2024 and investigation against him is complete, this Court directs release of the petitioner above named on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Motihari, East Champaran in connection with Raxual P.S. Case No.43 of 2024, subject to the conditions as laid down under Section 437(3) Cr.P.C.

7. And further condition that the court below shall

verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

arvind/-

U		T	
---	--	---	--