

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64456 of 2024

Arising Out of PS. Case No.-16 Year-2024 Thana- AAYAR District- Bhojpur

Ramladdu Kumar, S/o Sugriv Ram @ Sugrim Ram, R/o Village- Kusumha,
P.S.- Aayar, District- Bhojpur at Ara

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Radha Krishna, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 04-10-2024 Heard learned Advocate appearing on behalf of the

petitioner and the learned Additional Public Prosecutor for the

State.

2. The application for grant of bail to the petitioner
who is in custody in connection with Aayar P.S. Case No. 16 of
2024 registered for the offence punishable under Sections 25(1-
b)a, 26 and 35 of the Arms Act.

3. In course of patrolling, the police intercepted Alto
car in which the petitioners were found seated. On search, one
loaded country made pistol and two live cartridges were
recovered from the possession of one Premchand Singh,
whereas, from the possession of one Rajesh Singh, ten live
cartridges were recovered. So far the petitioner is concerned,
from his possession one rifle with a magazine fitted with an iron



foldable part has been recovered. It is further alleged that in the magazine there were five live cartridges and six live cartridges were recovered from the pocket of the petitioner.

4. Learned Advocate appearing on behalf of the petitioner submitted that in fact the rifle was kept in the Alto car with which the petitioner has no concern, however, when the police conducted raid, the petitioner was sitting in the back seat and thereafter recovery has been shown from the possession of the petitioner. Other co-accused persons from whose possession the country made pistol and live cartridges were recovered, they have been allowed the privilege of bail by this Court in Criminal Misc. No. 56354 of 2024 vide order dated 21.08.2024. It is next contended that the petitioner having fair antecedent now has been incarcerated since 13.03.2024, the investigation of the crime is complete and the chargesheet has been submitted.

5. On the other hand, learned Additional Public Prosecutor for the State vehemently opposes the bail application and submits that the petitioner failed to produce any document with regard to the arms which has been recovered from his possession.

6. Regard being had to the submissions made on behalf of the parties and considering the period of custody and the fact that the investigation of the crime is complete and the



chargesheet has been submitted coupled with the fact that co-accused persons having more or less identical allegation have been allowed the privilege of bail, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Aayar P.S. Case No. 16 of 2024, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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