

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67921 of 2024

Arising Out of PS. Case No.-350 Year-2024 Thana- MAJHAULIA District- West Champaran

Chand Kumar @ Chand Kumar Shil S/o Govind Sheel R/O village- Lal Saraiya, Bengali Colony, Ward No.- 4 ,P.S -Majhauriya ,District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 03-10-2024 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Majhauriya P.S. Case No. 350 of 2024 for the offence under sections 25(1-b)a of the Arms Act, lodged on 25.05.2024 by the informant, Ganesh Shil.

3. As per the prosecution story, the informant alleged that due to quarrel between the children, the same was pacified but the petitioner went to his house and brought something which could be seen under his shirt in the waist, the son of the informant caught hold of him whereafter a country made revolver fell down, escaped. It was handed over to the police later without cartridge which followed the FIR.

4. Learned counsel for the petitioner submits that



admitted fact is that the country made revolver has been provided by the informant to the police and he created story which led to the implication of the petitioner. He has got no criminal antecedent, is a student of Class-IX in Sita Ram High School, Majhauriya and he is only 19 years of age.

5. Learned APP opposes the prayer.

6. Though allegation is there, considering his tender age as also that he is a student of Class-IX, a chance be given him to mend his ways, putting him in jail with criminals will not help him, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner, above named, be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah in connection with aforesaid PS Case, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as well as the following conditions:-

(i) one of the bailors should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;



(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

perwez

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

