

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.64561 of 2024**

Arising Out of PS. Case No.-255 Year-2024 Thana- SAHEBGANJ District- Muzaffarpur

Bidur Kumar Son of Madan Thakur Village- Mananpur Belwadih, P.S.  
-Kalyanpur, District- East Champaran Motihari

The State Of Bihar

Versus

... .. Petitioner/s

... .. Opposite Party/s

**Appearance :**  
For the Petitioner/s : Ms. Preety Kunwar, Advocate  
For the State : Mr. Bhanu Pratap Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

3      11-12-2024                      Heard Ms. Preety Kunwar, learned counsel for  
  
the petitioner and Mr. Bhanu Pratap Singh, learned APP for the  
  
State.

2. The petitioner is in judicial custody in connection with Sahebganj P.S. Case No. 255 of 2024 for the offences punishable under Sections 25(1-B), (a) and 26 of the Arms Act, lodged on 16.05.2024 by the informant, Sikandar Kumar.

3. As per the prosecution story, the informant alleged that during vehicle checking, intercepted an Auto and apprehended this petitioner with loaded country made pistol/live cartridges. This led to the F.I.R.

4. Learned counsel for the petitioner submits that Police due to enmity has implicated him, nothing was recovered from his conscious possession, he is in custody since 17.05.2024



and if granted relief, he shall be diligently appearing in trial.

5. Learned APP for the State opposes the prayer submitting that he was caught with the pistol/cartridges.

6. Taking into account the submissions put forward by the parties and the period of custody, an undertaking has been given that he shall be diligently appearing in trial, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate 1<sup>st</sup> Class, Muzaffarpur (West) in connection with Sahebganj P.S. Case No. 255 of 2024, subject to the following conditions:

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

(ii) the petitioner shall appear on each and every date before the Trial Court 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 bail bonds.

**(Rajiv Roy, J)**

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