

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74494 of 2024

Arising Out of PS. Case No.-469 Year-2024 Thana- FATUA District- Patna

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Bheem Singh S/o Rajballabh Singh @ Ballam Singh R/o Village-
Janardanpur, P.S.- Fatuha, District- Patna (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : None

For the State : Mr. Kumar Ranjit Ranjan, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 28-10-2024 No one appears on behalf of the petitioner.

2. The petitioner is in judicial custody in connection with Fatuha P.S. Case No. 469 of 2024 for the offences punishable under Sections 25(1-b)a/26/35 of the Arms Act and 30(a) of the Bihar Prohibition and Excise Act, lodged on 23.07.2024 by the informant, Saurabh Kumar.

3. As per the prosecution story, the allegation is of recovery/seizure of country made revolver and eight cartridges beside 30 liters of mahua.

4. As per the petition, he has been wrongly implicated, nothing has been recovered from his conscious possession rather to implicate the present allegation. Further, according to the petition he do not have criminal antecedent, further, he is custody since 24.07.2024 (12) of the petition.



5. Learned APP for the State opposes the prayer submitting that there is recovery of mahua as also the arms.

6. Though there are recovery, the facts remains that he has remained in custody since 24.07.2024, he will be diligently appearing in trial, this Court is inclined to extend him the privilege of bail. However, if it is found that, he do have criminal antecedent the order shall become infructuous.

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 Exclusive Special Court of Excise, Patna City in connection with Fatuha P.S. Case No. 469 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 one year to mark his attendance;



(iv) the petitioner shall in now 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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