

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77609 of 2024

Arising Out of PS. Case No.-157 Year-2024 Thana- BUXAR INDUSTRIAL District- Buxar

Amrit Thakur @ Amrit Kumar Thakur S/O Sanjay Thakur R/O Village- Badki
Sarimpur, P.S- Buxar Industrial Area, Distt.- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Shankar Pathak, Advocate

For the Opposite Party/s : Mrs. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 11-11-2024

Heard the parties.

2. The petitioner is in custody in connection with Buxar Industrial P.S. Case No. 157 of 2024 for the offence punishable under sections 25(1-b)a and 26 of the Arms Act lodged on 12.07.2024 by the informant, Aman Kumar.

3. As per the prosecution story, the informant alleged that in case of Buxar Industrial P.S. Case No. 156 of 2024, confession was made by Tauseef @ Raja that he had hidden the pistol used in crime alongwith cartridges at the place of this petitioner. Accordingly, alongwith the pistol, empty/live cartridges recovered from a suitcase from the place of this petitioner which led to the FIR.

4. Learned counsel for the petitioner submits that he had no knowledge about the presence of firearm in the suitcase,



on false belief, he allowed Tauseef @ Raja to keep the suitcase in his saloon which led to his implication/arrest.

5. Learned APP opposes the prayer for bail submitting that recovery/seizure of the firearm used in a different case has been found from his possession.

6. Considering the submissions put forwarded by the parties as also the fact that the petitioner has remained in custody since 13.07.2024 (paragraph-12 of the petition), do not have any criminal antecedent, FIR lodged and he shall be facing the trial, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned CJM, Buxar, in connection with Buxar Industrial P.S. Case No. 157 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/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 one year 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)

Adnan/-

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