

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78593 of 2024

Arising Out of PS. Case No.-319 Year-2024 Thana- NARDIGANJ District- Nawada

Rishi Kumar S/O- Sudhir Singh R/o- Kazibigha Ps- Nardiganj Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek, Adv.

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 14-11-2024

Heard the parties.

2. The petitioner is in custody in connection with Nardiganj P.S. Case No. 319 of 2024 for the offence punishable under sections 25(1-B)a, 26 and 35 of Arms Act lodged on 10.09.2024 by the informant, Sanjay Mishra.

3. As per the prosecution story, the informant alleged that it intercepted a motorcycle, Satyam Kumar and this petitioner were on it, they were searched and it is alleged that from Satyam Kumar, country made pistol and live/empty cartridges recovered/seized. Further, from the petitioner, there is recovery/seizure of mobile and a digital camera. This led to the FIR.

4. It is the case of the petitioner that he is a professional photographer, was moving on the motorcycle little



realizing that the other person is having arms under his belt, he is in custody since 10.09.2024 (para 1 of the petition) and has no criminal antecedent.

5. Learned APP opposes the prayer for bail submitting that when the recovery/seizure made, he was also on the motorcycle.

6. Taking into account this aforesaid submission put forward by the parties as also that the country made revolver/cartridges have not been recovered from his possession, has no criminal antecedent and is in custody since 10.09.2024, 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 Court of A.C.J.M. II, Nawada in connection with Nardiganj P.S. Case No. 319 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 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)

Vijay Singh/-

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