

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79223 of 2023

Arising Out of PS. Case No.-309 Year-2023 Thana- PARBATTa District- Khagaria

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SUSHIL SINGH SON OF LATE ANUPLAL SINGH RESIDENT OF
VILLAGE -SALARPUR, PS -PARBATTa, DISTT- KHAGARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.N.K.Agarwal, Sr. Advocate
	:	Mr.Praveen Kumar, Advocate
	:	Ms.Diksha Kumari, Advocate
For the Opposite Party/s :	:	Mr.Jai Narain Thakur, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

5 07-05-2024 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with Parbatta
P.S. case No. 309 of 2023 instituted for the offences under
Sections 25(1-b)a, 26 of the Arms Act.

3. As per the F.I.R., one country-made *katta*, one
magazine, two semi-manufactured magazine and total 100 live
cartridges have been recovered from the house of this petitioner.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious
possession of the petitioner. Learned counsel further submitted



that petitioner has got no concern with the recovered arms and ammunitions. Charge-sheet has been submitted in this case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 08.07.2023 and has four criminal antecedent. There is no compliance of Section 100 of the Cr.P.C.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Parbatta P.S. case No. 309 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner tampers with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move
for cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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