

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82663 of 2024

Arising Out of PS. Case No.-307 Year-2024 Thana- CHAINPUR District- Kaimur (Bhabua)

Prem Pandey Son of Late murahu Pandey Resident of Village- Lodipur, P.S.-
Chainpur, District- Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Adv.
For the Opposite Party/s : Mr. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 02-12-2024 Heard the parties.

2. The petitioner is in custody in connection with Chainpur P.S. Case No. 307 of 2024 for the offence punishable under sections 317(2) of the B.N.S. & 25(1-B)a of Arms Act lodged on 22.08.2024 by the informant, Anjan Kumar.

3. As per the prosecution story, the informant alleged that on secret information, the house was raided and there is recovery/seizure of country made revolver and two live cartridges. This led to the FIR, arrest.

4. Learned counsel for the petitioner submits that only because of criminal antecedent, he has been implicated. The recovery/seizure is from a joint house which cannot be attributed to him. He has already suffered by being in custody since 23.08.2024 (para 12 of the petition).



5. Learned APP opposes the prayer for bail.

6. Taking into account the submissions as also the fact that the recovery/seizure is not from his conscious possession, though he has criminal antecedent, is in custody since 23.08.2024 (para 12 of the petition), 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 ACJM-II, Kaimur at Bhabua in connection with Chainpur P.S. Case No. 307 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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