

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82635 of 2024

Arising Out of PS. Case No.-64 Year-2024 Thana- DUMARIYA District- Gaya

Md. Abdul Rahman @ Abdul Rahman @ Chhotu Khan S/O Md. Latifur Rahman @ Latifur Rahman Khan @ Latifur Rahman R/O Village- Jagatkhap P.S. Dumariya, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ali M Ahmed, Adv.

For the Opposite Party/s : Mr. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 02-12-2024 Heard Mr. Ali M. Ahmed, learned Counsel for the petitioner and also the State.

2. The petitioner is in custody in connection with Dumariya P.S. Case No. 64 of 2024 for the offence punishable under Sections 25(1B)a and 26 of the Arms Act lodged on 04.08.2024 by the informant, Md. Salim Ansari.

2. As per the prosecution story, the informant alleged that in course of investigating the Dumariya P.S. Case No. 63 of 2024 lodged on the same day registered against the petitioner, the place was raided and there is recovery of rifle as also live cartridge. This led to the FIR/arrest.

3. Learned counsel for the petitioner submits that it belongs to the maternal grand-mother's house, it is an open



place accessible to everyone and only because he made earlier accused in a case relating to fight between the agnates, the present petition has been foisted upon them. Further, if granted relief, he shall be diligently appearing in trial, so far his criminal antecedent is concerned, his submission is that on the same day the case came up against him, which resulted into (Paragraph-3) being incorporating his criminal antecedent.

4. Learned APP opposes the prayer for bail.

5. Taking into account the aforesaid submissions put forward by the parties as also the fact that nothing has been recovered from his conscious possession, he is in custody since 04.08.2024, this Court is inclined to extend him the privilege of bail with conditions.

6. 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 Sub-Divisional Judicial Magistrate, in connection with Dumariya P.S. Case No. 64 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.)

Jyoti Kumari/-

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