

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80089 of 2024

Arising Out of PS. Case No.-76 Year-2024 Thana- SIKARHATTA District- Bhojpur

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Ajay Kumar Singh S/O Dilip Kumar Singh R/O vill. - Panwari, P.S -
Sikarahatta, Dist.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Akash Kumar Mishra, Adv.

For the Opposite Party/s : Mr.Satyendra Narayan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 20-11-2024 Heard Mr. Akash Kumar Mishra, learned counsel
for the petitioner and the State.

2. The petitioner is in judicial custody in connection with Sikarhatta P.S. Case No. 76 of 2024 for the offences punishable under Sections 25 (1-b) and 26 of the Arms Act, lodged on 15.07.2024 by the informant, Mukesh Kumar.

3. As per the prosecution story, the informant alleged that the police got information about the presence of weapon in the house of the petitioner with which he used to threaten the locals, raided the place and there is recovery/seizure of pistol on the top of almirah. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that the recovery/seizure is from an open place not from his conscious possession without any cartridge, has remained in custody since



16.04.2024 (para-4 of the petition) having no criminal antecedent and if granted bail, shall be diligently appearing in the trial.

5. Learned APP opposes the prayer submitting that recovery/seizure is from his house.

6. Considering the submissions put forward by the parties as also the fact that nothing has been recovered from his conscious possession, has remained in custody since 16.07.2024 and has no criminal antecedent, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Bhojpur, Ara in connection with aforesaid P.S. Case subject to the following conditions:

(i) one of the bailors should be the family member of the petitioner who shall provide official document to show his 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 month for next 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)

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