

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84564 of 2023

Arising Out of PS. Case No.-243 Year-2023 Thana- MOHIUDDIN NAGAR District-
Samastipur

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Sunil Ram @ Suneel Ram S/O LATE AKLU RAM R/O VILLAGE-
RAMGAMA, P.S.- OHIUDDIN NAGAR, DIST.- SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravi Prakash, Adv
For the Opposite Party/s : Mr.Raj Kishor Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 10-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Mohiudding P.S. Case No. 243 of 2023 registered on 28.08.2023
lodged under Sections 25(1-b)a, 26 of the Arms Act.

3. As per the prosecution case, on secret information,
the police conducted raid and apprehended the petitioner from
whose possession one country made pistol has been recovered.

4. Counsel further submits that petitioner is innocent
and has committed no offence. He further submits that petitioner
is in custody since 28.08.2023 having clean antecedent. He
further submits that the said recovery has been made in gross
violation of Section 100 of the Cr.P.C. as there is no independent



witness of the seizure list.

5. Learned counsel for the State opposes the prayer for bail.

6. Upon specific query made by this Court that whether charge has been framed or not, counsel for the petitioner submits that he is not aware of this fact that charge has been framed or not.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail *after framing of charge* and on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned J.M.F.C. cum Additional Munsif, Samastipur in connection with Mohiudding P.S. Case No. 243 of 2023, subject to the following conditions as well as the conditions laid down under Section 437 (3) of the Cr.P.C.

(i) one of the bailor 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



bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(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 the bail bonds.

(Dr. Anshuman, J)

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