

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9349 of 2024

Arising Out of PS. Case No.-53 Year-2023 Thana- RUPAULI District- Purnia

Bechan Singh, S/O Kailash Singh R/O Village-Jangal Tola, P.S.- Rupauli
(MOHANPUR), Dist. Purnia

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Adv.

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Rupauli (Mohanpur) P.S. Case No. 53 of 2023, lodged on
01.03.2023 under Sections 25(1-b)a, 26, 35 of the Arms Act.

3. As per the prosecution case, FIR has been lodged
against two named accused persons including the present
petitioner. It has come in the FIR that one country made pistol,
one live cartridge and one fired cartridge has been recovered
from the hut of Sunil Yadav.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
also submits that nothing incriminating has been recovered from



the petitioner's possession and therefore, no case of Arms Act has been made out against him. Counsel further submits that the name of the petitioner has been figured in this case only at the instance that the criminal antecedent of the petitioner is not clean.

5. Learned counsel for the petitioner submits that the antecedent of the petitioner is not clean and there are five criminal cases pending against him in which in four cases, he is on bail and in one case, he is persuading for bail. The petitioner is in custody since 23.06.2023 in the present case. Counsel further submits that the charge-sheet has already been filed in this case.

6. Learned APP for the State opposes the prayer for bail of the petitioner.

7. In the present facts and circumstances of this case and the submissions made above, **let the petitioner above named, be granted bail**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with Rupauli (Mohanpur) P.S. Case No. 53 of 2023, subject to the conditions as laid down U/s 437(3) Cr.P.C. as well as the following conditions:



(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.

8. However, the petitioner shall be granted bail only on being satisfied by the Trial Court that the petitioner is not absconding in any of the cases pending against him whose details are as follows:-

(I)- Rupauli P.S. Case No. 93 of 2023.

(II)- Rupauli P.S. Case No. 91 of 2022.



(III)- Rupauli P.S. Case No. 122 of 2022.

(IV)- Rupauli P.S. Case No. 292 of 2022.

(V)- Rupauli (Mohanpur) P.S. Case No. 125 of 2023.

(Dr. Anshuman, J.)

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