

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33537 of 2025

Arising Out of PS. Case No.-465 Year-2024 Thana- HARSIDHI District- East Champaran

KARAN KUMAR S/O UMESH CHAUDHARI R/o vill - Turkauliya
Kachhariyan Tola, P.s.- Turkauliya, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suraj Kumar Tiwari, Advocate

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-05-2025 Heard Mr. Suraj Kumar Tiwari, learned counsel for
the petitioner and Mr. Shahabuddin Azeem @ S. Azeem, learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Harsidhi P.S. Case No. 465 of 2024, F.I.R. dated 30.08.2024 for the offences punishable under Section 25(1-B)a, 26, 35 of Arms Act, 1959.

3. As per the First Information Report, the informant alleged that on the basis of information given by accused person namely, Amanullah, police went to the place of occurrence and recovered one country made pistol, live cartridge and some CSP documents from bush situated near 300 metre west from village ghiwadhar chowk.

4. Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case. It appears from the FIR that petitioner is not named in the FIR and his name came during course of investigation on the basis of confessional statement made by apprehended co-accused person, namely, Amanullah and except the confessional statement made by co-accused person, no other cogent material is available on record which suggest the involvement of petitioner in the present crime and in view of the aforesaid no case is made out under Arms Act against the petitioner.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, the petitioner has clean antecedent and his name transpired on the basis of disclosure made by co-accused person, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, East Champaran, Motihari in connection with Harsidhi P.S. Case No. 465 of 2024, subject to the conditions as laid



down under Section 438(2) of the Code of Criminal Procedure /
Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and
with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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