

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42549 of 2025

Arising Out of PS. Case No.-131 Year-2024 Thana- BANMANKHI District- Purnia

Md. Haider Son of Late Md. Iliyash Resident of village - Bishanpur, P.S.-
Banmankhi, District - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand, Adv.
For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 27-06-2025 Heard the parties.

2. The petitioner is in custody in connection with G.R. No. 1769 of 2024 arising out of Banmankhi P.S. Case No. 131 of 2024 for the offence punishable under sections 25(1-b)a of the Arms Act lodged on 04.04.2024 by the informant, Raj Kumar Choudhary.

3. Earlier, the bail application of the petitioner was rejected on 09.12.2024 in Cr. Misc. No. 55729 of 2024.

4. As per the prosecution story, the informant alleged that the petitioner who under his belt already has CCA Case No. 02 of 2024 appeared for his attendance. As he was wanted in connection with Banmankhi P.S. Case No. 70 of 2024, was detained, whereafter, he confessed his involvement in several other cases and upon his disclosure, the country-made fire arm



beside two live cartridges were recovered near the graveyard concealed by him. This led to the FIR.

5. Learned counsel for the petitioner submits that because of his criminal antecedent, earlier the bail application was rejected, is in custody since 04.04.2024 and if granted bail, he shall be diligently appearing in trial.

6. Learned APP opposes the prayer for bail submitting that he has criminal antecedent.

7. Considering the submissions of the parties as also his period of custody, an undertaking has been given that he shall be diligently appearing in trial, in that background, this Court is inclined to extend him the privilege of bail with conditions.

8. 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 1st Additional Chief Judicial Magistrate, Purnea in connection with G.R. No. 1769 of 2024 arising out of Banmankhi P.S. Case No. 131 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 till the conclusion of the trial 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)

Vijay Singh/-

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