

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83793 of 2024

Arising Out of PS. Case No.-722 Year-2023 Thana- AURANGABAD TOWN District-
Aurangabad

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Baiju Sharma @ Baiju Kumar S/o- Late Ram Bihari Singh R/o - Manjhiyawa,
P.S - Kurtha, Manikpur O.P, District - Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate

Mr. Ajay Kumar, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 18-01-2025 Heard the learned counsel for the petitioner and
learned APP for the State.

2. This is the 2nd attempt of the petitioner. The
petitioner seeks regular bail in the present case registered for the
offence under Sections 25(1-b)a, 26 and 35 of the Arms Act.

3. As per the prosecution case, huge cache of arms has
been recovered from one Dhananjay Kumar.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has not committed any offence.
Petitioner is in custody since 22.11.2023. There is no recovery
from the possession of the petitioner. The name of the petitioner
has come in this case on the confessional statement of a co-
accused. Petitioner claims clean antecedent. Out of 9 charge-



sheeted witnesses, 02 witnesses have been examined in the trial.

5. Learned A.P.P. has vehemently opposed the prayer for bail.

6. Considering the period of custody and the fact that there is no recovery from the petitioner, this application for regular bail is allowed.

7. Accordingly, let the petitioner, above named, 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 Chief Judicial Magistrate, Aurangabad/concerned Court below in connection with Aurangabad Town P.S. Case No. 722 of 2023 subject to conditions that:-

(i). The petitioner will mark his attendance at the Kurta(Manikpur O.P.) Police Station, Arwal on the first & third Sunday of each month. Any default in appearance at the Police Station would result in cancellation of bail bond of the petitioner.

(ii). The petitioner shall appear in the trial regularly either personally or through his lawyer and shall cooperate in the trial and non-cooperation in the trial shall result in cancellation of the bail bond of the petitioner.



(iii). Before accepting the bail-bond of the petitioner, the court below will verify the antecedent of the petitioner. If the petitioner is found having clean antecedent, the bail-bond of the petitioner shall be accepted. If the petitioner is found having criminal antecedent(s), his bail-bond shall not be accepted by the court below.

(Sandeep Kumar, J)

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