

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81494 of 2024

Arising Out of PS. Case No.-27 Year-2024 Thana- Kashnagar District- Saharsa

Kailash Mehta Son of Sitaram Mehta Resident of village- Kashnagar, Tola
Samhar Vasha, ward no. 07, P.S.- Sashnagar, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

3 22-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Kashnagar P.S. Case No. 27 of 2024 dated 22.06.2024,
instituted for the offence punishable under Sections 25(1-B)a,
26, 35 of the Arms Act.

3. The allegation is of recovery of 250 live cartridges
from the house of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is further submitted that from bare perusal of seizure list,
it is evident that none of the family members have put signature
on the seizure list. There is no compliance of Section 100(1) of
the Cr.P.C. It is next submitted that charge has already been



framed in this case. Lastly, it has been submitted that the petitioner is in custody since 23.06.2024, he has one criminal case against him and charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Saharsa, District-Saharsa in Kashnagar P.S. Case No. 27 of 2024, subject to the following conditions:-

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

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present



case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. 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.

5. The petitioner shall appear before the Police Station of his local area in the first week of each month till the disposal of the present case.

(Khatim Reza, J)

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