

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82536 of 2024

Arising Out of PS. Case No.-19 Year-2024 Thana- FCI District- Begusarai

Saurav Kumar S/o Mr. Mukesh Singh R/o vill - Bihat Tola Gurdaspur
Pirsthan, P.S. - F.C.I., Distt.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate
		Mrs. Vaishnavi Singh, Advocate
For the Opposite Party/s :		Mr. Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 04-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for
the offence punishable under Sections 25 (1-b)a (1-AA) and 26
(ii) of the Arms Act.

3. Acting on a tip-off, when the police party raided
the house of the petitioner, the petitioner managed to escape
from the spot, but when a search was made in his house a Desi
Carbine loaded with one live cartridge under the bed was
recovered.

4. It is submitted by learned counsel for the
petitioner that no such occurrence as alleged ever took place.
He is quite innocent and has been falsely implicated in this case.



He was not apprehended on the spot. It is further submitted that the house from the said alleged recovery has been made does not belong to the petitioner. The said land belongs to the Railway and thus the allegation that the petitioner had forcefully constructed a room (batani/basa) is completely absurd. The petitioner has ten criminal antecedent and has been languishing in custody since 16.10.2024.

5. Learned APP for the State opposed the bail petition.

6. Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with FCI P.S. Case No.19 of 2024, subject to the following conditions :

(i) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(ii) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(iii) The petitioner shall remain physically present in court on each and every date during trial and in the event of



failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(iv) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(v) The petitioner will mark his attendance in the local police station in first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move cancellation of his bail bond.

(Anjani Kumar Sharan, J)

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