

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84324 of 2024

Arising Out of PS. Case No.-524 Year-2024 Thana- SUPAUL District- Supaul

Saurabh Singh S/o Late Ashok Singh R/o Mohalla - Mahabir chowk Supaul
Nagar Parishad, ward no- 10, P.s And Distt.- Supaul

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Jha, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 21-02-2025 Heard the parties.

2. The petitioner is in custody in connection with Supaul P.S. Case No. 524 of 2024 for the offence punishable under Sections 25 (1-B)(a), 26 and 35 of the Arms Act lodged on 06.08.2024 by the informant, Prashant Kumar.

3. As per the prosecution story, the informant alleged that upon information that the accused persons have assembled to commit crime, raided the place and found one loaded country-made pistol, two body of pistol, empty cartridges as also other articles. Accordingly, the FIR.

4. Learned counsel for the petitioner submit that only because of criminal antecedents, the Police has made out a case, nothing has been recovered from his conscious possession rather from the room, even going by the FIR, he is in custody since



07.08.2024 (paragraph-4 of the petition) and will be diligently appearing in trial, if granted relief. The last submission of the petitioner is that Nirdosh Yadav and other similarly situated accused persons were granted bail in Cr. Misc. No.76984 of 2024.

5. Let the same be kept on record.

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

7. Taking into account the submissions put forwarded by the parties as also the fact that nothing has been recovered from his conscious possession and he is in custody since 07.08.2024 and further, similarly situated accused persons were granted bail, as stated above, 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 Judicial Magistrate First Class, Supaul, in connection with Supaul P.S. Case No. 524 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 month for one year 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 their bail bonds.

(Rajiv Roy, J)

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