

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87958 of 2024

Arising Out of PS. Case No.-121 Year-2024 Thana- MADHEPUR District- Madhubani

Rambilash Saday @ Rambilas Sadai @ Ram Vilash Saday Son of Late
Phuleshwar Sadai @ Late Phuleshwar Saday R/O-Village- Faitki Kutti, P.S.-
Madhepur, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Adv.

For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 08-01-2025 Heard the parties.

2. The petitioner is in custody in connection with Madhepur P.S. Case No. 121 of 2024 for the offence punishable under sections 25(1-b)a, 26, 35 of Arms Act lodged on 28.08.2024 by the informant, Amit Kumar Chourasiya.

3. As per the prosecution story, the informant alleged that during night patrolling duty, on secret information, intercepted the accused persons and there is recovery/seizure of country made pistol/bullets. This led to the FIR.

4. It is the case of the petitioner that only because of his criminal antecedent, implicated. The police resorted to extreme measure to get him confessed and has remained in custody since 29.08.2024.



5. Learned APP opposes the prayer for bail submitting that this petitioner has criminal antecedent.

6. Considering the submissions put forward by the parties as also his period of custody, FIR lodged, he shall be facing the trial, in that background, this Court is inclined to extend him the privilege of bail with conditions.

7. 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 A.C.J.M.-III, Jhanjharpur, District- Madhubani in connection with Madhepur P.S. Case No. 121 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 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 his bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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