

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88333 of 2024

Arising Out of PS. Case No.-268 Year-2024 Thana- SAHPUR District- Patna

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Akash Kumar Son of Dev Sharan Singh Resident of Village- Usri, P.S.-
Shahpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar, Patna

... .. Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 08-01-2025 Heard Mr. Arun Kumar, learned counsel for the

petitioner and the State.

2. The petitioner is in judicial custody in connection with Shahpur P.S. Case No. 268 of 2024 for the offence punishable under Sections 25(1-B)a, 26 and 35 of the Arms Act lodged on 17.08.2024 by the informant, Ram Das Rai.

3. As per the prosecution story, the Police intercepted some accused persons and upon search, there is recovery/seizure of country made pistol and some cartridges. This led to the FIR, arrest.

4. It is the case of the petitioner that the Police only due to enmity, has implicated him. He is a young person, had no role to play in the matter and is in custody since 17.08.2024.

5. Learned APP opposes the prayer submitting that



upon interception, there is recovery/seizure of country made pistol with cartridges.

6. Considering the aforesaid submissions put forward by the parties as also his period of custody, FIR lodged, he will be facing the trial, 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) with two sureties of like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Danapur, Patna/successor court, in connection with Shahpur P.S. Case No. 268 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 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 next 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)

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