

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90034 of 2024

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

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Arun Kumar Son of Late Ramkeshvar Das Resident of Ushri Shahpur, P.O.-
Shikarpur, P.S.- Shahpur, District- Patna, State- Bihar

... .. Petitioner/s

Versus

The State of Bihar, Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amit Narayan, Advocate

For the Opposite Party/s : Ms.Pushpa Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 05-03-2025 Heard Mr. Amit Narayan, 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. Learned counsel for the petitioner submits that he
has no criminal antecedent and is in custody since 17.08.2024, if
granted relief, he shall be diligently appearing in trial and
further one of the co-accused Akash Kumar has been extended



relief in Cr. Misc. No. 88333 of 2024.

5. Let the same be kept on record.

6. Learned APP opposes the prayer submitting that upon interception, there is recovery/seizure of country made pistol with cartridges.

7. Taking into account the the aforesaid facts as also that the petitioner do not have criminal antecedent, has been remained in custody since 17.08.2024 and one of the co-accused has been granted bail, as stated above, in that background, 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) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate First Classt, Danapur, Patna, 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 month 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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