

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36464 of 2015

Arising Out of PS.Case No. -49 Year- 2015 Thana -CHAURADANO District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Dhuman Ram son of Sukdeo Ram, resident of Village- Murtiya Thakurai
Tola, P.S.- Adapur, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Sanjay Kr.Tiwary 1(App)

=====

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

4 16-12-2015 Heard the learned counsel for the petitioner as well as
the learned A.P.P.

The petitioner seeks bail in a case for the offences
punishable under sections 414 of the I.P.C and sections 25 (1-b)
(a)/35 of the Arms Act.

Allegedly, the petitioner was caught with Hero Honda
motorcycle and on search a loaded country made pistol, live
cartridges and mobile phone were recovered from his possession
and further the kidnapped child was also recovered.

Submission is of false implication and that for
kidnapping another case has been lodged wherein the petitioner
has been granted bail, but after completing nine months in

custody, and in this case the petitioner is suffering in custody since 25.03.2015, charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence, the petitioner has been implicated by making plantation by the police at the instance of the petitioner.

The learned A.P.P. opposes prayer for bail.

In the facts and circumstances as stated above, considering the alleged recovery and custody of the petitioner, now he is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri S.K. Srivastava, J.M. Raxaul, Motihari, East Champaran in Chhauradano P.S. Case No. 49 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

Abhay/-

(Jitendra Mohan Sharma, J)

U		T	
---	--	---	--