

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48467 of 2015

Arising Out of PS.Case No. -625 Year- 2015 Thana -SAHARSA District- SAHARSA

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1. Sanjay Kumar Swarnkar Son of Sri Chandu Swarnkar Resident of village
- Nariyar, P.S. and District - Saharsa

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subesh Sharma

For the Opposite Party/s : Mr. Manoj Kumar-I(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 03-12-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Saharsa
P.S. Case No. 625 of 2015 registered for the offences punishable
under Sections 25(1-B0A, 26(ii), 35 of the Arms Act.

The petitioner was caught and from his possession three
live cartridges and two sim cards were recovered on 04.08.2015.

Submission is that the petitioner is a student and he has
been falsely implicated, the seized article is not a live cartridge
and having no criminal antecedent the petitioner is suffering in
custody.

Learned APP does not oppose the prayer of bail
considering the alleged recovery.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa in connection with Saharsa Sadar P.S. Case No. 625 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.

(Jitendra Mohan Sharma, J)

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