

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48188 of 2014

Arising Out of PS.Case No. -63 Year- 2012 Thana -GAYA KOTWALI District- GAYA

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1. Sonu @ Shakra Son of Md. Abbas Resident of village- Jagdishpur
Abgila, P.S.- Muffasil, District- Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheikh Arkan Ahmad

For the Opposite Party/s : Mr. Ajay Kumar 2 (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 03-03-2015 Heard counsel for the petitioner and the learned
counsel, Mr. S. Dayal, A.P.P. for the State.

Petitioner seeks bail in Kotwali P.S. Case No. 63 of
2012 lodged under Sections 399, 402 I.P.C. and 25(1-b)a/26/35 of
the Arms Act.

On receiving secret information, police went to
Manpur bridge and found five persons assembled there. A chase
was made wherefrom three of them were arrested. The petitioner
was not one of them. His name transpired on the confessional
statement of these accused persons arrested at the spot.

Contention of the petitioner is that he is not named in
the F.I.R. and admittedly, he was not arrested at the spot. No
recovery of incriminating article has been made from his
possession. In substance, the only confessional statement of the

accused is/are against the petitioner. He is languishing in jail custody since 07.08.2012.

Learned A.P.P. pointed out that there is some criminal antecedent.

Be that as it may, considering the facts and circumstances of the case as also the period of incarceration already undergone, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the court of the learned Additional Sessions Judge VII, Gaya in connection with Kotwali P.S. Case No. 63 of 2012, subject to the following conditions:

- (i) One of the bailors shall be own/close family member of the petitioner.
- (ii) In the event of framing of charge, the petitioner shall appear in person on all dates fixed thereat. In the event of default in doing so on two consecutive dates, the trial court shall cancel the bail of the petitioner and ensure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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