

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 46483 of 2014

Arising Out of PS.Case No. -146 Year- 2014 Thana –CHERIYA BARIYARPUR District-
BEGUSARAI

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Amresh Mahto @ Amresh Son of Babu Prasad Mahto Resident of Village -
Malmalla, P.S. - Khodawanpur, District- Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL ORDER

3. 04-02-2015 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in Cheriya Bariyarpur
P.S. Case No. 146 of 2014 dated 09.07.2014 instituted under
Sections 25(1-b)a/26/35 of the Arms Act.

Learned counsel for the petitioner submits
that though there is allegation of recovery of one country made
pistol and one .315 bore live cartridge, but the same have been
planted on him by the police as there are no independent
witnesses on the seizure list. Learned counsel submits that
this is the first case against the petitioner under the Arms Act
and he is accused in one other case under Sections
341/323/385/387/34 of the Indian Penal Code and is in
custody since 10.07.2014.

Learned A.P.P. opposes the prayer for bail.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in Cheriya Bariyarpur P.S. Case No. 146 of 2014. One of the bailors shall be the father of the petitioner. The petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner. The petitioner shall also give an undertaking to the Court that he shall not indulge in any criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the trial and be present before the Court on each and every date. Failure to cooperate or appear on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

(Ahsanuddin Amanullah, J.)

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