

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25629 of 2015

Arising Out of PS.Case No. -9 Year- 2015 Thana -BIKRAMGANJ District- SASARAM (ROHTAS)

1. Lakshman Singh, Son of Sheo Parsan Singh, resident of village Jonhi Tola Bishambharpur, P.S.- Bikramganj, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sada Nand Ray

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

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 08-10-2015 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 25 (1-B) a and 26 of the Arms Act.

Allegedly, when the informant and other police personnel were checking the vehicle S.T.F team informed regarding a criminal carrying arms and then they proceeded towards that direction and saw a man carrying a bag but seeing the police personnel he started fleeing away but after chase he was caught and from his bag one country made carbine with magazine, four loaded cartridges, one country made rifle loaded with .315 bore cartridges were recovered and he disclosed his name as Lakshman Singh.

Submission is of false implication and that the

petitioner has got no criminal antecedent. The petitioner was coming from the village and after seeing the police party one another person who was carrying the bag after throwing the same fled away and the petitioner while crossing at the same time was arrested by the police. There is nothing to show that the petitioner was real owner of the aforesaid bag. The petitioner is an elected Panch for 15 years and due to political rivalry he has been implicated and now by remaining in custody since 20.01.2015 he has been sufficiently penalized, to which the learned A.P.P. submits that now lenient view can be taken.

In the facts and circumstances as stated above, the petitioner 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 S.D.J.M. Bikramganj, Rohtas in Bikramganj P.S. Case No. 09 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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