

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47208 of 2014

Arising Out of PS.Case No. -381 Year- 2014 Thana -BUXAR District- BUXAR

=====

1. Birju Ram Son of Ramesh Ram resident of Village - Khalasi Mohalla
Buxar, P.S. - Buxar Nagar, District - Buxar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh

For the Opposite Party/s : Mr. Parmanand Prasad (App)

=====

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

3 04-02-2015 Heard the parties.

This is an application for bail for the offences punishable under section 414 of the I.P.C and sections 25 (1-B) A/, 26 (2) and 35 of the Arms Act.

Allegedly, from possession of the petitioner one loaded country made pistol with one cartridge, cash of Rs. 5,000/- and Samsung Mobile Set were recovered, whereas, from possession of other co-accused some incriminating articles as per seizure list were recovered.

Submission is that there is no report of theft. The petitioner was not carrying any arms or looted money but he has been implicated due to local politics. The petitioner is a very poor man. He has no source of income except the daily wages and

further the petitioner is on bail in one case and besides that the petitioner has got no other case in his credit and as such deserves sympathetic consideration, to which the learned A.P.P. opposes by pointing out to the alleged recovery and further that the petitioner has got criminal antecedent.

In the facts and circumstances as stated above, considering the alleged recovery and the period of detention, 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 C.J.M. Buxar in Buxar Nagar P.S. Case No. 381 of 2014, 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)

Abhay/-

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