

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49754 of 2014

Arising Out of PS.Case No. -231 Year- 2013 Thana -GARKHA District- SARAN

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Mithilesh Kumar Gupta, Son of Dinesh Gupta, resident of village Mirpur Juara, P.S.- Awtarnagar, District Saran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Kumar Singh

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, Addl.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 03-03-2015

Heard.

The petitioner seeks bail in a criminal prosecution registered under Sections 25(1-B)(a)/26/35 of the Arms Act.

Taking into consideration the fact that, as per the prosecution case, only one live cartridge is alleged to have recovered from the possession of the petitioner and further taking into consideration the fact that the petitioner is in custody since the date of lodging of the FIR on 29.12.2013, his prayer for bail is allowed. The petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.25,000/- with two sureties of the like amount each to the satisfaction of Sri Birjesh Kumar, learned Judicial Magistrate-1st Class, Saran at Chapra in connection with Garkha P.S.Case No.231 of 2013, subject to the conditions that:

- (a) One of the bailors must be government servant or close family member of the petitioner, who will file an affidavit in the court below showing his/her relationship with the petitioner,
- (b) if the petitioner is found involved in same and similar

nature of cases in future, then in that case the informant/prosecution shall be at liberty to file a petition for cancellation of bail of the petitioner, and if such a petition is filed, the court below would be obliged to dispose of the same in accordance with law after giving opportunity of hearing to all concerned;

- (c) the petitioner shall make regular pairvi in the court below in the present case either by appearing himself in person or through representation by his lawyer on each and every date, and if on two consecutive dates petitioner fails to make pairvi, then the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Prasad Verma, J)

Arvind/-

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