

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49780 of 2015

Arising Out of PS.Case No. -71 Year- 2015 Thana -RAGHOPUR District- VAISHALI(HAJIPUR)

1. Md. Tahir Son of Md. Jawed, Resident of Village-Srirampur, P.S.-
Raghopur, District-Vaishali, Hajipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh

For the Opposite Party/s : Mr. Vinod Shankar Modi (App)

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

3 11-12-2015 Heard learned counsel for the petitioner and
learned counsel representing the State.

The petitioner seeks bail in connection with
Raghopur P.S. Case No. 71 of 2015 registered for the offences
punishable under Sections 25(1-b)A, 26, 27, 35 of the Arms Act.

Allegedly, the petitioner was apprehended and
from his possession .315 Bore rifle and five live cartridges were
recovered.

Submission is of false implication and that the
petitioner has been made victim of circumstances. From seizure
list it reveals that the firearm was not recovered from his
conscious possession rather from a field and as such the petitioner
who is suffering in custody since 27.02.2015 having no criminal

antecedent deserves sympathetic consideration to which the learned APP opposes by submitting that other co-accused fled away and the petitioner was apprehended with rifle and cartridges.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail **after completing six months in custody from the date of his remand in this case** on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Anup Singh, J. M. Ist Class, Vaishali at Hajipur in connection with Raghopur P.S. Case No. 71 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.

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(Jitendra Mohan Sharma, J)

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