

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47933 of 2015

Arising Out of PS.Case No. -18 Year- 2015 Thana -PIRPAINTI District- BHAGALPUR

=====

1. Basuki Thakur, Son of Sudama Thakur, resident of Village- Mahana Chandpur, P.S. Semapur, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh

For the Opposite Party/s : Mr. Mustaque Alam(App)

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 07-12-2015 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, 26, 27 and 35 of the Arms Act.

Allegedly, after getting information that three persons with fire arm are moving in the Bahiyar of Bakharpur then the informant and other police personnel went there and thereafter the accused persons opened fire on the police personnel to which the police also resorted to firing and out of them the petitioner was caught with .315 bore rifle with two cartridges and he disclosed the name of two other co-accused.

Submission is of false implication and that as per

seizure list the said rifle and cartridges have not been recovered from conscious possession of the petitioner rather from the field of Ram Kishun Tiwari near Basbita of Chandan Tiwari and the petitioner is suffering in custody since 24.01.2015 and now he has been sufficiently penalized, to which the learned A.P.P. does not dispute.

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. Bhagalpur in Pirpaintee P.S. Case No. 18 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)

Abhay/-

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