

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5960 of 2016

Arising Out of PS.Case No. -176 Year- 2015 Thana -DAUDNAGAR District- AURANGABAD

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Kamaldeo Mahto @ Kamaldeo Singh, S/o Late Nageshwar Mahto, resident
of Village- Mewa Bigaha, P.S.- Daudnagar, District- Aurangabad.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar, Advocate

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

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

ORAL ORDER

4 06-04-2016 Heard the learned counsel for the petitioner as well as

the learned A.P.P. for the State.

The petitioner seeks bail in a case for the offences
punishable under sections 25(1-b)a, 26 and 35 of the Arms Act.

Allegedly, on the basis of disclosure made by co-
accused Jailendra Yadav, the house of the petitioner was searched
and one double barrel gun and eight live cartridges of 12 bore kept
on the bed were recovered.

Submission is of false implication and that the
petitioner has been made victim of the circumstances, nothing has
been recovered from his conscious possession and as such, the
petitioner deserves sympathetic consideration as he is suffering in
custody since 1.12.2015.

The learned A.P.P. opposes the prayer of bail by submitting that the petitioner has got criminal antecedent.

In the facts and circumstances stated above, the petitioner, above named, shall be released on bail after completion of six months in custody from the date of his remand on execution of bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of S.D.J.M., Daud Nagar, Aurangabad in connection with Daudnagar P.S. Case No.176 of 2015, subject to the conditions that one of the bailors must be 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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