

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21465 of 2016

Arising Out of PS.Case No. -308 Year- 2015 Thana -KHIJARSARAI District- GAYA

=====

1. Bal Sundar Manjhi Son of Late Dasain Manjhi Resident of Demakoiri
Bigha, Bhuintola, P.S. - Khizersarai, District - Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Kundan Kumar

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

=====

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

4 15-07-2016 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 and 26 of the Arms Act.

Allegedly, from the house of the petitioner one
country made rifle was recovered.

Submission is of false implication and that nothing
has been recovered from conscious possession of the petitioner,
during investigation it has come that the recovered rifle was not in
workable condition, the rifle recovered was without bolt, as per
the seizure list, and as such the petitioner who is in custody since
01.03.2016 deserves sympathetic consideration.

The learned A.P.P. opposes prayer for bail by

submitting that the illegal fire arm was recovered from the box kept in the house of the petitioner.

In the facts and circumstances as stated above, considering that the recovered arm was not in workable condition and as such 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 A.C.J.M.-III, Gaya in Khizersarai P.S. Case No. 308 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	
---	--	---	--