

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48135 of 2015

Arising Out of PS.Case No. -79 Year- 2015 Thana -MEHANDIA District- JEHANABAD

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1. Rambachan Kahar @ Bachan Kahar S/o Late Sitaram Kahar, Resident of village- Sarauti Tola Beldari Bigha, P.S.- Rampur Chauram, District- Arwal

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

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

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 08-02-2016 Heard learned counsel for the petitioner and learned Additional Public Prosecutor representing the State.

The petitioner seeks bail in connection with Mehandia P.S. case No. 79/2015 registered for the offences punishable under sections 25 (1) (1-a)/ 26 of the Arms Act.

Allegedly, the petitioner was caught with hand grenade in the house of Sudarshan Singh.

Submission is of false implication and that nothing has been recovered from the conscious possession of the petitioner, the petitioner was apprehended empty handed but wrong recovery has been shown, signature of the petitioner was obtained on several plain papers which has been used by the police, the alleged recovered article was not tested and without testing report charge

sheet has been submitted and the petitioner is suffering in custody since 24.06.2015.

Learned A.P.P. after going through the case diary fairly submits that there is no test report of the recovered article but the petitioner has got criminal antecedent.

In the facts and circumstances stated above and considering detention of the petitioner into custody now the petitioner, above named, is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Arwal in connection with Mehandia P.S. case No.79 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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