

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51427 of 2015

Arising Out of PS.Case No. -317 Year- 2015 Thana -BALIA District- BEGUSARAI

1. Md. Sanaullah Son of Md. Jahangir Uddin Resident of village - Chhoti
Baila Saidan Chak, P.S. Balia, District - Begusarai

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Singh

For the Opposite Party/s : Mr. Akbar Ali (App)

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

2 05-01-2016 Heard the learned counsel for the petitioner as well as
the learned A.P.P.

The petitioner seeks bail in a case for the offence
punishable under section 414 of the I.P.C and sections 25 (1-b) A,
26 and 35 of the Arms Act.

Allegedly, during raid the petitioner and co-accused
were apprehended and from possession of the petitioner two live
cartridges of .315 bore, cash of Rs.1500/- and one mobile having
dual SIM were recovered and the petitioner did not produce any
paper and further he confessed his guilt.

Submission is of false implication and that the
petitioner is continuing his study in M.A. Commerce from Lalit
Narayan Mithila University and he passed Bihar Teachers
Eligibility Test held in the year 2013, he has been made victim of

the police atrocity, he has got no criminal antecedent from earlier but has been remanded in Balia P.S. Case No. 316 of 2015 for the offence under section 394 I.P.C but it is not possible to carry cartridges without arms and he is suffering in custody since 12.09.2015.

The learned A.P.P. opposes prayer for bail by submitting that the petitioner was caught by the informant who is police officer with cartridges.

In the facts and circumstances as stated above, considering the aforesaid recovery and detention of the petitioner at this stage, 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 C.J.M. Begusarai in Balia P.S. Case No. 317 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.

Abhay/-

(Jitendra Mohan Sharma, J)

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