

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50447 of 2015

Arising Out of PS.Case No. -382 Year- 2015 Thana -HAJIPUR SADAR District-
VAISHALI(HAJIPUR)

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1. Raju Kumar, Son of Sri Upendra Bhagat, Resident of Village- Panapur
Dilavarpur, P.S.- Biddupur, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nilesh Kumar

For the Opposite Party/s : Mr. Ansuaiya Jaiswal (App)

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

2 04-01-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner seeks bail in connection with Hajipur Sadar
P.S. Case No. 382 of 2015 registered for the offences punishable
under Sections 25(1-B)a, 26 II/35 of the Arms Act.

Allegedly, during raid the informant and other police
personnel saw two motorcycles parked and four persons having
arms in their hands were standing there. Two persons were caught
with loaded pistol and two started fleeing away but were caught
and from possession of the petitioner two live cartridges and
mobile were recovered.

Submission is of false implication, nothing has been

recovered from possession of the petitioner and the said mobile is of the petitioner, the petitioner has no concern with the said motorcycle and as such the petitioner who is suffering in custody since 27.07.2015 deserves sympathetic consideration to which learned APP fairly submits that for alleged recovery of two cartridges the petitioner by remaining in custody has sufficiently been penalized.

In the facts and circumstances stated above, 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 the learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No. 382 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)

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