

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.562 of 2016

Arising Out of PS.Case No. -49 Year- 2015 Thana -CHAUSA District- MADHEPURA

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1. Siya Ram Mehta @ Siya Ram Mahto S/o Nago Mehta @ Nago Mahto @ Nageshwar Mehta @ Nageshwar Mahto, Resident of Village - Madhatpur Basa, Police Station - Alamnagar, District - Madhepura. Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh

For the Opposite Party/s : Mr. B. Pratap Singh(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

4 08-03-2016 Heard learned counsel for the petitioner and learned APP representing the State.

The petitioner seeks bail in connection with Chausa P.S. Case No. 49 of 2015 registered for the offences punishable under Sections 25(1-B) A, 26 of the Arms Act.

Allegedly, from possession of the petitioner one country made carbine with magazine loaded with five live cartridges was recovered.

Submission is of false implication and that nothing was recovered from conscious possession of the petitioner, he is suffering in custody since 31.05.2015, up-till-now charge has not been framed and as such the petitioner deserves sympathetic consideration to which learned APP opposes by submitting that the petitioner has got criminal antecedent.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and up-till-now trial has not commenced, 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 Sri Ashok Kumar II, J. M. Ist Class, Udakishunganj, Madhepura in connection with Chausa (Fulout) P.S. Case No. 49 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.

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(Jitendra Mohan Sharma, J)

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