

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58052 of 2015

Arising Out of PS.Case No. -29 Year- 2015 Thana -KARPI District- JEHANABAD

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Ganesh Sao @ Prasad Gupta @ Hipia S/o Late Chatur Sao Resident of
Village - Imamganj, P.S. - Paliganj, District - Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha

For the Opposite Party/s : Mr. Ashraf Ansari(App)

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

3 17-02-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Karpi
(Shahar Telpa O.P) P.S. Case No. 29 of 2015 registered for the
offences punishable under Sections 385, 387, 414 of the Indian
Penal Code and Section 25(1-b) a, 26, 35 of the Arms Act and
Section 13, 17, 18, 20 of the unlawful Prevention Activity Act.

Allegedly, raid was conducted at village Rampur and
the petitioner and others were apprehended. After search, from
possession of the petitioner one loaded carbine, nine live
cartridges of .315 bore and two pamphlets of Maowadi were
recovered on 17.02.2015.

Submission is of false implication and that nothing has



been recovered from possession of the petitioner, in this case other co-accused from whose possession also arms and ammunitions were recovered, have already been allowed bail. Co-accused Ajay Kumar has been allowed bail vide Cri. Misc. No. 35698 of 2015, co-accused Dilip Kumar and Upendra Gupta have been allowed bail vide Cri. Misc. No. 34686 of 2015 and Anup Kumar Mahato has been allowed bail vide Cri. Misc. No. 28502 of 2015 by different co-ordinate Benches of this Court and, as such, the petitioner who is suffering in custody since 18.02.2015 also deserves sympathetic consideration as in near future the trial is not likely to be concluded and recently the case has been committed.

The learned A.P.P. fairly submits that the petitioner has been remained in custody for one year.

In the facts and circumstances stated above, the petitioner, above named, is also 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 C.J.M., Arwal in connection with U.A.P. Case No. 01 of 2015 arising out of Karpi (Sahar Telpa O.P.) P.S. Case No. 29 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)

sushma/-

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