

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51126 of 2016

Arising Out of PS.Case No. -133 Year- 2016 Thana -LAXMIPUR District- JAMUI

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Kamal Kant Singh @ Dhabo Singh @ Kamla Kant Singh, S/o late Sukhdeo
Singh, R/o village-Ghughuldih, P.S.- Barhat, District-Jamui

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Satya Prakash Parasar, Advocate

For the Opposite Party : Mr. Abhay Kumar Roy(APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 29-11-2016

Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner is languishing in judicial custody since
22.08.2016 in connection with Laxmipur P.S. Case No. 133 of
2016 for offences punishable under Sections 25(1-b)a and 26 of
the Arms Act.

The prosecution case is that on a secret information
the police party caught the petitioner who was coming on road
from the village and found one country made pistol and two live
cartridges and one mobile from his possession.

It has been submitted by the learned counsel for the
petitioner that he is innocent and has got no criminal history and

has been falsely implicated and the seizure list has been prepared in violation of Section 100 of the Cr.P.C. He further submits that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned APP for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Considering the facts and circumstances and the fact that the charge-sheet has already been submitted and materials reveal that the release of the petitioner would not adversely affect his trial, hence, in the interest of justice, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri Amrendra Kumar, learned Judicial Magistrate-1st Class, Jamui, in connection with Laxmipur P.S. Case No. 133 of 2016.

This direction of bail is further subject to the condition that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case to dissuade him for disclosing such facts to the Court or to any police officer or tamper with the evidence and

shall appear before the learned Court below as and when directed.

With these observations and directions, the application stands allowed.

(Nilu Agrawal, J.)

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