

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41609 of 2016

Arising Out of PS.Case No. -63 Year- 2016 Thana -SARAI District- VAISHALI (HAJIPUR)

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Ramji Prasad Gupta, son of Ram Pukar Sah, Resident of Village-
Anwarpur, P.S. - Sarai, District-Vaishali

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Dr. Anand Kumar, Advocate

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 17-10-2016 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 19.05.2016 in connection with Sarai P.S. Case No. 63 of 2016 for the offences alleged under Sections 25(1-b)A and 26 of the Arms Act.

3. It is submitted that the petitioner has been falsely implicated as he is a practitioner of Homeopathy for the last over three decades and has clean antecedents. There is no independent witness of the alleged seizure list. Even according to the FIR, only two bullets are said to have been recovered from the conscious possession of the petitioner. The motor-cycle from which recovery is said to have been made does not stand in the name of the petitioner.

4. Having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of Sri Neeraj Kumar, learned Additional Chief Judicial Magistrate-XIII, Vaishali at Hajipur in connection with Sarai P.S. Case No. 63 of 2016 with the following conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

B.T/Chandran

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