

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36061 of 2016

Arising Out of PS.Case No. -22 Year- 2016 Thana -BARAUNI District- BEGUSARAI

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Santosh Prasad S/o Late Sital Prasad R/o Village - Bathauli, P.S. Barauni,
District - Begusarai

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey

For the Opposite Party/s : Mr. Sri Lakshmi Kant Sharma

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

3 15-12-2016 Heard the learned counsel for the petitioner as well as
the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences punishable under sections 25 (1-b) a, 27 and 35 of the Arms Act, section ¾ of the Explosive Substance Act and sections 18 and 20 of the U.A.P. Act.

Allegedly, from possession of the petitioner one loaded country made pistol, Khakhi Bindoliya having eight cartridges of .315 and further one bag was recovered containing Nexalite pumplate and four applications for taking membership of the North Bihar Central Zone Committee were recovered and the petitioner does not show any paper.

Submission is of false implication and that nothing



has been recovered from possession of the petitioner, he has been made victim of the police atrocity, Khusho Tanti has already been allowed bail vide Cr. Misc. No. 19309 of 2016 by order dated 06.05.2016 and as such the petitioner also deserves sympathetic consideration.

The learned A.P.P. opposes prayer for bail but fairly submits that the petitioner is in custody since 13.01.2016.

In the facts and circumstances as stated above, the petitioner is directed to be released 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 Rameshwar Mishra, J.M. 1st Class, Begusarai in Barauni P.S. Case No. 22 of 2016, 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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