

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36220 of 2016

Arising Out of PS.Case No. -175 Year- 2016 Thana -CHANDI District- NALANDA
(BIHARSHARIFF)

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1. Pramod Yadav @ Pramod Kumar S/o Ramadhin Singh
2. Bachandeo Yadav, S/o Late Pradeep Singh
Both R/o Village- Dihra, P.S.- Chandi, District- Nalanda

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Dhirendra Kumar Sinha, Adv.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 08-09-2016 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences
alleged under Sections 25(1-b) and 26 of the Arms Act registered
in connection with Chandi P.S. Case No. 175 of 2016.

3. It is submitted that the petitioners have been falsely
implicated on mere suspicion and solely on the confessional
statement of co-accused Munna Kumar who was arrested with one
loaded country made pistol and four live cartridges. No recovery
or any incriminating articles have been made from the conscious
possession of the petitioners. The alleged place of occurrence is
open field 50 meters away from the house of the petitioner no. 1.
The petitioners claim clean antecedents.

4. Having regard to the entirety of the facts and

circumstances, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Hilsa in connection with Chandi P.S. Case No. 175 of 2016, subject to the conditions as laid down under Section 438(2) Cr.P.C., and also subject to the following further conditions__

(i) That one of the bailors of each of the petitioners shall be their close relative.

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

(iii) That the petitioners shall cooperate with the investigation and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioners 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, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Md. Ibrarul/Chandran

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