

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24068 of 2016

Arising Out of PS.Case No. -958 Year- 2015 Thana -AHIAPUR District- MUZAFFARPUR

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Ratan Singh, Son of Uma Shankar Singh, Resident of Village- Akharaghat ,
Shekhpur, Police Station -Ahiyapur, District Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Neeraj Kumar @ Sanidh, Adv.
Mr. Satya Prakash, Adv.

For the Opposite Party/s : Mr. Yogendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 31-05-2016

Heard.

The petitioner seeks bail in a criminal prosecution registered under Sections 399, 402 and 414 of the Indian Penal Code as also under Sections 25(1-B)(a)/26/35 of the Arms Act.

Though, the petitioner, besides others, is named in the FIR vide Annexure-1 as an accused and though there is allegation of recovery of a magazine with four live cartridges as also one mobile set, but taking into consideration the period of incarceration, as the petitioner is said to be in judicial custody since 16.10.2015 and also taking into consideration the fact that he is said to be the first offender as has been asserted in paragraph 3 of the bail application, let the petitioner above named be released on bail on furnishing bail bond of Rs.25,000/- with two sureties of the like amount each to the satisfaction of Sri Sunil Kumar Tripathi, the learned J.M.-1st Class at Muzaffarpur in connection with Ahiyapur P.S. Case No.958 of 2015, subject to the conditions that:

- (A) One of the bailors must be government servant or close family members of the petitioner, who will file an affidavit in the court below showing his/her relationship with the petitioner,
- (B) if the petitioner is found involved in same and similar nature of cases in future, then in that case the informant/prosecution shall be at liberty to file a petition for cancellation of bail of the petitioner, and if such a petition is filed, the court below would be obliged to dispose of the same in accordance with law after giving opportunity of hearing to all concerned;
- (C) the petitioner shall make regular pairvi in the court below in the present case either by appearing himself in person or through representation by his lawyer on each and every date, and if on two consecutive dates petitioner fails to make pairvi, then the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Prasad Verma, J)

Arvind/-

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