

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47829 of 2016

Arising Out of PS.Case No. -55 Year- 2016 Thana -BHANGWANPUR HAT District- SIWAN

Nishu Singh, son of Baliram Singh @ Baliram Prasad Singh, resident of village Kauriya Tola Raman Rai, Police Station- Bhagwanpur, District-Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Advocate
Mr. Lakshmi Kant Sharma

For the Opposite Party/s : Mr. Sri Panchanand Pandit

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 28-11-2016

Heard Mr. Ramakant Sharma for the petitioner and
the APP for the State.

Petitioner apprehends his arrest in Bhagwanpur Hat
P.S. Case No. 55 of 2016 registered under section 25(1-b)a/35 of
the Arms Act and prays for grant of anticipatory bail.

Three accused persons were arrested at the
wine/liquor shop engaged in ransacking the shop. From their
possession, diverse incriminating materials were recovered. One
of them disclosed the name of the petitioner as one who fled
away. It is submitted that except the confessional statement, there
is no other incriminating materials against the petitioner. In fact,
based on the present allegation, another case being Bhagwanpur
Hat P.S. Case No. 54 of 2016 was registered against him in which

he has been granted anticipatory bail. Except that, petitioner has no criminal antecedent.

In the event of arrest or surrender in the Court below within four weeks, the petitioner abovenamed is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Bhagwanpur Hat P.S. Case No. 55 of 2016 in learned A.C.J.M.-X, Siwan subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioner.

(ii) In case of framing of charge, the petitioner shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioner and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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