

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58520 of 2015

Arising Out of PS.Case No. -112 Year- 2015 Thana -RAMGARHWA District-
EASTCHAMPARAN(MOTIHARI)

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Ajay Mahto, son of Lal Deo Mahto, resident of village- Pipra Pati, Police
Station- Ram Garhwa, District- East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate

For the Opposite Party/s : Mr. Ram Naresh Roy, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 21-01-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out
of Ramgarhwa P.S. Case No. 112 of 2015, disclosing offences
under Sections 25(1-b) a and 26 of Arms Act.

Allegedly, on receipt of a secret information in course
of night patrolling, the Police conducted search of the petitioner's
house and recovered country-made musket (single barrel country-
made gun) and two live cartridges. The petitioner is said to have
fled away on seeing the Police. Allegedly, the petitioner's wife
disclosed to the Police that the petitioner had brought the gun and
the cartridges before her marriage.



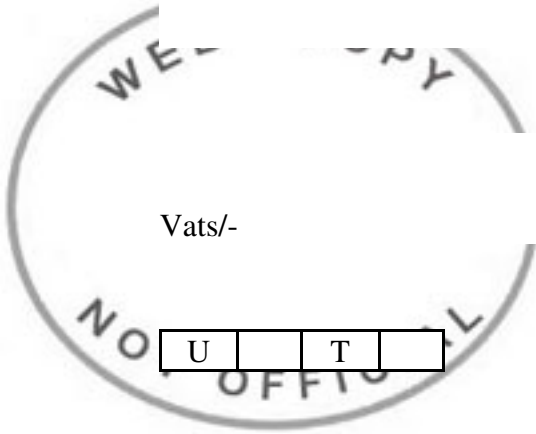
Learned counsel for the petitioner submits that the petitioner's implication in the present case is malicious and even the seizure list does not contain signature of the petitioner's wife, who was admittedly present at the time of the seizure. Referring to the statement made in paragraph 3 of the application, he contends that the petitioner has no criminal antecedent and submits that the petitioner shall co-operate with the Police at the time of investigation and present himself before the Police, as and when required.

In view of the submission as above and the facts and circumstances, this application is allowed.

Let the petitioner, above-named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, East Champaran at Motihari in connection with Ramgarhwa P.S. Case No. 112 of 2015, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to

appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.



(Chakradhari Sharan Singh, J)

Vats/-

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