

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.54378 of 2015

Arising Out of PS.Case No. -14 Year- 2015 Thana -BARBIGHA District- SEKHPURA

1. Rohit Kumar Son of Late Vijay Singh R/o village - Kochgaon, P.S. Warsaliganj, District - Nawada

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Anjani Pd. Singh

For the Opposite Party/s : Mr. Ashok Kr.Singh(App)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 13-01-2016 Heard learned counsel for the petitioner and learned A.P.P. for the State. Earlier the bail of the petitioner was rejected in Cr. Misc. No. 20041/2015 dated 29.07.2015.

The petitioner seeks bail in Barbigha P.S.Case No. 14/2015 registered for offences punishable under Section 25 (1-B) A/26/35 of the Arms Act.

The prosecution case lodged by Sub Inspector-Cum-Officer- Incharge, Barbigha P.S. is that on 15.01.2015 about 14.30 hours, he received secret information that some people have assembled in Minakshi hotel and a conspiracy was being hatched between them whereafter, police personnel raided the hotel and arrested four persons including the petitioner at the spot with a country made pistol.

It has been submitted by the learned counsel for the petitioner that the petitioner is in custody for nearly one year i.e. from 16-01-2015 and as per the case diary, the petitioner was found to be in possession of one country made pistol, but no overt act has been assigned against the petitioner.

Be that as it may, let the above named petitioner, Rohit Kumar be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, 1st class, Sheikhpura in connection with Barbiga P.S. Case No. 14 of 2015 (G.R. No. 36 of 2015).

However, it may be noted that since the petitioner has criminal antecedents, if in future, the petitioner is found to be involved in case of similar nature, the learned court below will be at liberty to cancel the bail bonds of petitioner without being prejudiced by this order.

(Nilu Agrawal, J)

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