

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7409 of 2016

Arising Out of PS.Case No. -6 Year- 2015 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

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1. Santosh Singh Son of Radhkant Singh, Resident of Village - Dubaha,
P.S. - Madhuban, District - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramakant Yadav

For the Opposite Party/s : Mr. Manoj Kr. 1(App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 28-03-2016 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Madhuban Police Station Case No. 06 of 2015,
disclosing offences under Sections 448, 307, 504, 506 of
the Indian Penal Code and Section 25 (1-b)a/26 of the
Arms Act.

Learned Counsel appearing on behalf of the
petitioner submits that no offence under Section 307 of the
Indian Penal Code is made out even if the allegation as
contained in the First Information Report is taken to be
true. He further submits that for the offences under the
Arms Act, under which the petitioner has been made
accused, is bailable. On the background of the allegation
that arms and ammunition were recovered by the private

persons and produced before the police, it is submitted that it is purely out of animosity between the family of the informant and the petitioner that the present case has been instituted.

Considering the facts and circumstances of the present case, this application is allowed.

Let the petitioner, Santosh Singh, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Sikarhana at Motihari, in connection with Madhuban Police Station Case No. 06 of 2015, subject to the condition 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 bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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