

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3320 of 2016

Arising Out of PS.Case No. -84 Year- 2015 Thana -CHAUSA District- MADHEPURA

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1. Makardhawaj Singh Son of Late Kishun Singh
2. Anand Kumar @ Anant Kumar son of Sushil Mehta both are resident of
Village - Kalasan, P.S. - Chausa, District - Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Soni Shrivastava, Adv.

For the Opposite Party/s : Mr. Uday Pratap Singh (App)

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 16-03-2016 Supplementary affidavit has been filed on behalf of the
petitioners, let it be kept on record.

Heard learned counsel for the petitioner no. 1 and
learned A.P.P. representing the State.

The petitioner no. 1 seek bail in connection with
Chausa P.S. Case No. 84 of 2015 registered for the offences
punishable under Sections 25(1-b)A, 26 and 35 of the Arms Act.

Allegedly, the petitioner no. 1 was caught with country
made loaded pistol on 12.08.2015 and since then he is in custody.

Submission is of false implication and that against the
petitioners there are four more cases but they are not under the
Arms Act and two cases were lodged by cousin *Bhabhi* of
petitioner no. 1 and Bablu Singh is the own brother of cousin

Bhabhi whereas, another case has been lodged by immediate neighbor of petitioner no. 1 and one case has been lodged by own *Gotiya* due to enmity and land dispute and in all the cases petitioner is on bail and, as such, petitioner deserves sympathetic consideration.

The learned A.P.P. fairly submits that considering the detention of the petitioner now lenient view can be taken.

In the facts and circumstances stated above, considering the detention of Makardhawaj Singh, petitioner no. 1, now he is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Madhepura in connection with Chausa P.S. Case No. 84 of 2015 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner no. 1 from privilege of bail.

(Jitendra Mohan Sharma, J)

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