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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23852 of 2016

Arising Out of PS.Case No. -369 Year- 2015 Thana -BARAUNI District- BEGUSARAI

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Mani Kumar @ Mania @ Manaya son of Phulnaga Singh @ Phulana Singh Resident of Village- Bihat Tola, Ibrahimpur, P.S.- Barauni (F.C.I.), District- Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Malay Kumar Choudhary
For the Opposite Party/s : Mr. Mustaque Alam(App)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 31-05-2016 Heard learned counsel for the petitioner and learned counsel for the State.

In this case, the petitioner is seeking bail in connection with Barauni (F.C.I.) P.S. Case No. 369 of 2015 registered for offences under sections 25(1-b)a, 26 of the Arms Act.

As per allegation, the police, on the eve of Bihar Assembly Election, was conducting checking of the vehicle. In the meantime, the police saw that one person is abusing to passerby. As soon as he saw the police, he tried to flee from there and, on chase, the police arrested him. The police recovered one country made pistol and one live cartridge from him. The petitioner has criminal antecedent and is in custody since 10.10.2016.

Looking to the facts and circumstances of the case, let the petitioner, namely, Mani Kumar @ Mania @ Manaya, 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 Chief Judicial Magistrate, Begusarai in connection with Barauni (F.C.I.) P.S. Case No. 369 of 2015, subject to the condition that (i) one of the bailors shall be a close relative of the petitioner (ii) if the petitioner is found involved in future in similar type of case, the prosecution will be at liberty to make prayer for cancellation of his bail and the court below will pass necessary order, including cancellation of bail and (iii) the petitioner would cooperate the proceeding of the court below. In event of failure to appear on two consecutive dates, the court below will be at liberty to pass the order, including cancellation of bail bonds and (iv) the petitioner will report to the Barauni (F.C.I.) police station by 7th of every month for at least six months and in case of failure without any valid rhyme or reason, the bail of the petitioner will be treated to have been cancelled.

(Shivaji Pandey, J)

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