

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38541 of 2015

Arising Out of PS.Case No. -1 Year- 2015 Thana -SISWAN District- SIWAN

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1. Chandan Singh Son of Sri Ram Singh Resident of Village - Dibi, P.S.-
M.H. Nagar, District - Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Naresh Dikshit

For the Opposite Party/s : Mr. Md.Fahimuddin(App)

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

ORAL ORDER

3 06-01-2016 Heard learned counsel for the petitioner and learned counsel
representing the State.

The petitioner seeks bail in connection with Siswan P.S.
Case No. 01 of 2015 registered for the offences punishable under
Sections 399/402 and Sections 25(1-AA)/26/35 of the Arms Act.

Allegedly acting on tip off raid was conducted at the house
of Bijendra Singh @ Guddu Singh but after seeing the Police party
the person assembled there started fleeing away but the petitioner
was caught and from his possession two country-made pistol with
live cartridges, cash of Rs. 11, 200/- and mobile phone were
recovered and other fire-arms which were thrown by co-accused at
the time of fleeing away were also recovered.

Submission is of false implication and that the petitioner has
been made victim of the circumstances, the petitioner has gone

there incidentally. He being law abiding citizen did not flee away but has been made accused after showing wrong recovery resulting the petitioner is suffering in custody since 06.01.2015.

Learned Additional Public Prosecutor fairly submits that now the petitioner by remaining in custody has been sufficiently penalized.

In the facts and circumstances stated above, considering the alleged recovery and detention of the petitioner 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 learned Chief Judicial Magistrate, Siwan in connection with Siswan P.S. Case No. 01 of 2015, subject to the conditions that one the bailors must be a 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 from privilege of bail.

(Jitendra Mohan Sharma, J)

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