

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13420 of 2016

Arising Out of PS.Case No. -35 Year- 2016 Thana -BUXAR MUFFSIL District- BUXAR

Sunil Singh Son of Ram Chandra Singh resident of Village Khiri, P.S. Rajpur, District Buxar, Bihar.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner : Mr. Sudha Chandra, Advocate.

For the Opposite Party : Mr. Parmanand Prasad (APP)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 10-05-2016 Heard learned counsel for the petitioner and learned A.P.P. representing the State.

The petitioner seeks bail in connection with Buxar (Muffasil) P.S. Case No. 35 of 2016 registered for the offences punishable under Sections 25 (1-B)A, 26 and 35 of the Arms Act.

Allegedly, the petitioner was driving the motorcycle and co-accused Rishi Dev, who was pillion rider were apprehended and from possession of the petitioner one mobile is alleged to be recovered besides that motorcycle whereas from the possession of co-accused two country made pistols were recovered besides mobiles.

Submission is of false implication and that the petitioner has been made victim of the circumstances, he was not

knowing that co-accused was having illegal arms and at his request the petitioner provided him lift, in para-68 of the case diary it has come that the seized motorcycle is of the petitioner and further the petitioner has got no criminal antecedent and as such he deserves sympathetic consideration to which the learned A.P.P. does not dispute.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate III, Buxar, in connection with Buxar (Muffasil) P.S. Case No.35 of 2016, subject to 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 from privilege of bail.

(Jitendra Mohan Sharma, J.)

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