

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31537 of 2015

Arising Out of PS.Case No. -305 Year- 2014 Thana -GOPALPUR District- BHAGALPUR

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1. Amit Kumar @ B.D.O. Son of Viveka Nand Kunwar, Resident of
Village- Telghi, Police Station- Kharik, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Ashok Kr.Singh (App)

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

6 14-01-2016 Heard the learned counsel for the petitioner as well as
the learned A.P.P.

The petitioner seeks bail in a case for the offences
punishable under sections 25 (1-A) (1-B) (a), 26 and 35 of the
Arms Act.

Allegedly, from possession of the petitioner one
loaded musket with .315 bore cartridge, Bindolia containing 10
live cartridges .315 bore and mobile were recovered.

Submission is of false implication and that in this case
four more persons were arrested and recovery has been shown and
co-accused similarly situated Chhotu Yadav @ Purusotam Yadav,
Bholi Mandal, Akhilesh Mandal @ Akala and Mukesh Singh have
already been allowed bail by different Benches of this Court and

the petitioner is suffering in custody since 15.09.2014, in other cases he is on bail.

The learned A.P.P. fairly submits that for the alleged recovery the petitioner by remaining in custody has been sufficiently penalized.

In the facts and circumstances as stated above, the petitioner is also directed to 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 A.C.J.M. Naugachia in the district of Bhagalpur in Gopalpur P.S. Case No. 305 of 2014, subject to the conditions that one of 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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