

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58313 of 2015

Arising Out of PS.Case No. -44 Year- 2015 Thana -PATNA GRP CASE District- PATNA

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1. Ganesh Kumar @ Muku Kumar Son of Sri Arvind Paswan R/o Village-
Devi Sarai, Biharsharif, P.S.-Deep Nagar, District-Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pranaya Shanker Sinha

For the Opposite Party/s : Mr. Surendra Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

2 01-02-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner seeks bail in connection with Bakhtiarpur
(Patna) G.R.P. Case No. 44 of 2015 registered for the offences
punishable under Sections 399, 402 of the Indian Penal Code and
Sections 25(1-B)A, 26 and 35 of the Arms Act.

Allegedly, from possession of the petitioner one loaded
country made pistol and mobile were recovered.

Submission is of false implication and that the
petitioner has been made victim of circumstance, nothing was
recovered from his conscious possession and his signature has
been obtained on plain paper, there is no independent witness on
seizure list, co-accused Jitendra Paswan has already been allowed

bail vide Cr. Misc. No. 54390 of 2015 and as such the petitioner deserves sympathetic consideration.

Learned APP submits that one loaded country made pistol was recovered from the petitioner.

In the facts and circumstances stated above, the petitioner above named **shall be released on bail after completion of six months in custody from the date of his remand** 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 Railway Judicial Magistrate, Patna in connection with Bakhtiarpur P.S. Case No. 44 of 2015, 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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