

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5109 of 2017

Arising Out of PS.Case No. -140 Year- 2016 Thana -BAKHTIARPUR District- SAHARSA

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Md. Safaul Haque @ Imo Mian @ Imroz, son of Moti Mian @ Md. Matinul Haque, resident of Village- Kusmi, P.S.- Salakhua, Dist- Saharsa, Bihar.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. S.A.Alam with Ms.Anjum Perveen,
Advocates

For the Opposite Party/s : Mr. Akbar Ali, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

6 22-06-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with Bakhteyarpur P.S.Case No. 140 of 2016 registered for the offences punishable under Sections 25 (1 b) a and 26 of the Arms Act.

Allegation against the petitioner is of recovery of one country made pistol and two cartridges.

It has been submitted on behalf of the petitioner that petitioner has falsely been implicated in this case and he is in custody for more than one year.

Heard learned APP also, who has opposed the prayer for bail.

Having heard both sides and considering the aforesaid facts and circumstances and also considering the report submitted by the Superintendent of Police Saharsa, let the petitioner, named above, be released on bail on furnishing bail bond of Rs.25,000/-



(Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Saharsa, in connection with Bakhteyarpur P.S. Case No. 140 of 2016, subject to the conditions that :-

(i) One of the bailors of the petitioner shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court.

(ii) The petitioner will not induce any witness or tamper with the evidence.

(iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reason, the prosecution is free to move for cancellation of his bail.

(iv) Active involvement of the petitioner in such type of case if found in future, his bail bond shall be cancelled.

(Vinod Kumar Sinha, J)

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