

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.12773 of 2017

Arising Out of PS.Case No. -795 Year- 2016 Thana -HAJIPUR SADAR District-
VAISHALI(HAJIPUR)

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Jyoti Basu, S/o Ashok Singh, R/o Village- Banauta, P.S.- Parsa, District-
Saran. Petitioner

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shyameshwar Kumar Singh

For the Opposite Party/s : Mr. Smt. Veena Rani Prasadd.

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

ORAL ORDER

3 24-04-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Hajipur Town
P.S. Case No. 795 of 2016 registered for the offences punishable
under Sections 341, 353, 338, 324/34 of the Indian Penal Code,
Sections 25(1-B)a,26II/35 of the Arms At and Sections 3, 4, 5 and
7 of the Indian Immoral Traffic (Prevention) Act.

Allegedly, the petitioner bite the finger of constable
Mithilesh Rai at the time of fleeing away but he was caught and
from his possession one country made automatic pistol was
recovered having six live cartridges in the magazine, further from
the pocket of the paint 5 more cartridges were recovered besides
Nokia mobile and Micromax mobile.

Submission is of false implication and that nothing has



been recovered from possession of the petitioner, the petitioner is suffering in custody since 17.11.2016, co-accused has been allowed bail by the court below itself and as such the petitioner deserves sympathetic consideration.

Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, the petitioner above named **shall be released after completion of six months custody from the date of his remand** 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 the learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Town P.S. Case No. 795 of 2016, 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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