

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6333 of 2017

Arising Out of PS.Case No. -237 Year- 2016 Thana -BEUR District- PATNA

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Sanjay Kumar, Son of Basant Rai, Resident of Village- Betaura, P.S.- Beur,
District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satyavrat Verma

For the Opposite Party/s : Mr. Sri Shailendra Kumar -1

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

ORAL ORDER

2 20-03-2017 Heard the learned counsel for the petitioner as well as

the learned A.P.P for the State.

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

Allegedly, the petitioner was apprehended with a bag
and from his bag 214 cartridges of 7.62 mm. was recovered and
further three magazines of A.K.47 were also recovered besides
mobile and one miscreant succeeded in fleeing away and from that
bag 320 cartridges of 8 mm kept were recovered. The petitioner
did not disclose the name of the miscreant who succeeded in
fleeing away.

Submission is of false implication and that nothing
has been recovered from conscious possession of the petitioner,
the petitioner has been made victim of the circumstances, the bag



was on the road, the motorcycle recovered is in the name of Sumitra Devi, the petitioner was going to his relative and seeing hue and cry he started running away and then he was caught and wrong recovery of one bag has been shown from possession of the petitioner, the petitioner is in custody since 12.09.2016 and as such now he deserves sympathetic consideration.

The learned A.P.P. opposes prayer for bail of the petitioner.

In the facts and circumstances as stated above, considering custody of the petitioner, now he is 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 the learned Additional District & Sessions Judge-IV, District- Patna in Sessions Trial No. 882 of 2016 arising out of Beur P.S. Case No. 237 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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