

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7985 of 2017

Arising Out of PS.Case No. -328 Year- 2016 Thana -GARKHA District- SARAN

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Dilip Singh, son of Hari Shanker Singh, resident of village - Newari, P.S.
Taraiya, District - Saran (Chapra)

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Kapil Deo Singh, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 23-02-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with
Garkha P.S.Case No. 328 of 2016 registered for the offences
punishable under Sections 25(1 b) a, 26 and 35 of the Arms Act.

It has been submitted on behalf of the petitioner that
no firearm was recovered from the possession of the petitioner,
rather silver case and mobile phone were recovered from his
possession and he has remained in custody for about four months.
It has further been submitted that though petitioner is made
accused in two other cases but only after arrest in this case he has
remanded in those two cases.

Heard learned APP also.

Having heard both sides and considering the fact that
no firearm has been recovered from the possession of the
petitioner and he has remained in custody for four months, let the
petitioner, above named, 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-V, Saran at Chapra, in connection with Garkha P.S.Case No. 328 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 the cancellation of his bail.

(iv) If petitioner is indulged in such type of cases in future, prosecution will be free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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