

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31831 of 2017

Arising Out of PS.Case No. -616 Year- 2016 Thana -KOTWALI District- PATNA

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Lalan Jha S/o Late Mohan Jha, Resident of Village-Benipur, Police Station-Benipur, District-Darbhanga. At Present resident of Mohalla - Chandmari Road, Pani Tanki, Gali No.1, Postal Park, Police Station - Kankarbagh, District-Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjay Kumar, Advocate

For the Opposite Party: Mr. Jitendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 13-07-2017 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody since 23.12.2016 in connection with Kotwali P.S. Case No. 616 of 2016 for the offences alleged under Section 414 of the Indian Penal Code and Sections 25(1-b)a, 26 and 35 of the Arms Act.

3. It is submitted that the petitioner has been falsely implicated in connection with the alleged recovery of one country made pistol and two cartridges. It is further submitted that charge sheet has already been submitted in this case and there is no chance of tampering with the evidence. The petitioner is on bail in only one other prior case in which he has been made accused.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Patna in connection with Kotwali P.S. Case No. 616 of 2016 with the following conditions:



(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

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