

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25414 of 2017

Arising Out of PS.Case No. -10 Year- 2017 Thana -CHAUSA District- MADHEPURA

Akhilesh Singh, son of Bilash Singh, Resident of Village- Khoparia, P.S.
Chousa, District- Madhepura.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Singh, Advocate
For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 03-07-2017 Heard learned counsel for the petitioner and
the learned A.P.P. for the State.

Petitioner is languishing in judicial custody
since 12.01.2017 in connection with Chousa P.S. Case
No. 10 of 2017 registered for the offence punishable
under Sections 25(1-B)A, 26/35 of the Arms Act.

The prosecution case, as lodged by the
police personnel, is that during course of checking, two
persons, including the petitioner was apprehended and
on search one country made pistol and four live
cartridges were recovered from the possession of the
petitioner. Accordingly, seizure-list was prepared.



It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated merely on the basis of suspicion. It has further been submitted that no overt act has been committed by the petitioner and that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State opposes the prayer for bail stating therein that the petitioner has criminal antecedent.

Considering the facts and circumstances and the materials on record, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Udakishunganj, District Madhepura in connection with Chousa P.S. Case No. 10 of 2017, subject to the condition that one of the bailors would be a close relative of the petitioner, who would file an affidavit stating his relation with the petitioner and that the said bailor must have sufficient immovable



properties within the territorial jurisdiction of the
concerned P.S./ Court.

(Nilu Agrawal, J.)

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