

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26790 of 2017

Arising Out of PS.Case No. -1358 Year- 2016 Thana -SASARAM NAGAR District- SASARAM
(ROHTAS)

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1. Om Prakash Kumar Son of Kedar Singh, Resident of Village- Barki
Kazpurwa, P.S.- Darigawan, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jay Prakash Singh

For the Opposite Party/s : Mr. Sri Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-07-2017 Heard the parties.

The petitioner seeks regular bail in connection with Sasaram
(T) P.S.Case No.1358 of 2016, registered for offences punishable
under Sections 25(1-b), a 26, 27 and 35 of the Arms Act.

Allegation against the petitioner is about recovery of one
loaded country-made Pistol.

Submission of the learned counsel for the petitioner is that
he has been falsely implicated in this case. The petitioner has
remained in custody for about seven months. So far other case is
concerned, it has been submitted that those cases are of different
nature and not of the Arms Act and he is on bail in those cases.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and



circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Rohtas at Sasaram in connection with Sasaram (T) P.S.Case No.1358 of 2016.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (ii) The petitioner shall co-operate 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 reasons, the prosecution is free to move for cancellation of his bail.
- (iii) In future, if his active participation is found in similar type of cases, his bail bond shall automatically be cancelled.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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