

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31133 of 2017

Arising Out of PS.Case No. -26 Year- 2017 Thana -HABIBPUR District- BHAGALPUR

=====

1. Sonu Kumar, S/o Binay Yadav, R/o Village- Madhura, P.S.- Tarapur,
District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Syed Mohammad Shabbir Alam

For the Opposite Party/s : Sri Ganesh Prasad Singh

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 13-07-2017 This application is for grant of regular bail in connection with Habibpur P.S. Case No. 26 of 2017 registered for the offence(s) under section(s) 25(1-b)a, 26 and 35 of the Arms Act.

Allegation against the petitioner, as per the FIR, is that the Police, on information that some persons are planning to commit Dacoity, raid that place and arrested the accused persons including the petitioner and from the possession of the petitioner, one motor cycle and one mobile have been recovered.

Submission of the learned counsel for the petitioner is that FIR itself shows that nothing arms and ammunition has been recovered from the possession of the petitioner rather one motor cycle has been recovered which belongs to the petitioner and he



has annexed the paper of the said motor cycle as Annexure-2 series of this application and he is custody since 2.5.2017 in connection with this case.

Heard learned Additional Public Prosecutor also. Learned Additional Public Prosecutor opposes the prayer of bail.

Having heard both sides and in view of the facts and circumstances, as stated above, this application is allowed.

Let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rs. Twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-XII, Bhagalpur in connection with Habibpur P.S. Case No. 26 of 2017, subject to the 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.
- (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 rhyme or reasons, the prosecution will have liberty to move for cancellation of his bail.

- (iv) If the petitioner is found involved in future in similar type of case, his bail bond will be cancelled.

(Vinod Kumar Sinha, J)

Mahesh/-

U		T	
---	--	---	--

