

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17884 of 2017

Arising Out of PS.Case No. -239 Year- 2016 Thana -SALKHUA District- SAHARSA

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1. Dashrath Sah Sono f Late Setho Sah, Resident of Village-Jamalpur, P.S.-
Salkhua (Banma Ithari O.P.), District Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. Smt Indu Kumari Srivastava

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 07-07-2017 Heard the parties.

The petitioner seeks regular bail in connection with Salkhua
(BanmaIthari O.P.) P.S.Case No.239 of 2016 registered for
offences punishable under Sections 25(1-b)A, 26 and 35 of the
Arms Act.

Allegation against the petitioner is of recovery of one
country-made Pistol and two cartridges from the house of the
petitioner. It further appears from perusal of the record that he is
accused in one case, however, it is submitted on behalf of the
learned counsel for the petitioner that he has been falsely
implicated in this case and now he has remained in custody for
about seven months.

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 Sri P.D. Mishara, A.C.J.M.II, Saharsa in connection with Salkhua (Banma Ithari O.P.) P.S.Case No.239 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.
- (iii) 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.
- (iv) 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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