

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46310 of 2017

Arising Out of PS.Case No. -94 Year- 2017 Thana -MANER District- PATNA

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Vijay Rai son of Late Ram Nandan Rai alias Rama Rai @ Rama Nand Rai,
resident of Mohalla – Rewa Lila Tola, P.S.Maner, District Patna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Narendra Kumar, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 21-09-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
07.03.2017 in connection with Maner P.S. Case No. 94 of 2017
registered for the offence punishable under Sections 25(1)(b)a and
26 of the Arms Act.

The prosecution case, as lodged by the police
personnel, is that on a secret information, the petitioner was
apprehended from his house and from his possession one country
made pistol and five live cartridges were recovered. Accordingly,
a seizure-list was prepared.

It has been submitted by the learned counsel for the
petitioner that he is innocent and has been falsely implicated in the



aforesaid case. He submits that no overt act has been alleged to have been committed by the petitioner and that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner.

However, learned A.P.P. for the State opposes the prayer for bail stating therein that the petitioner does not have a clean antecedent and one more case of similar and more serious nature is pending against him.

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 Additional Chief Judicial Magistrate-VI, Danapur, Patna in connection with Maner P.S. Case No. 94 of 2017, subject to the condition that one of the bailors would be a close relative of the petitioner and that if, in future, petitioner indulges in an offence of similar nature, the prosecution will be at liberty to move the learned Court below for cancellation of his bail bonds.

(Nilu Agrawal, J.)

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