

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47285 of 2017

Arising Out of PS.Case No. -240 Year- 2016 Thana -SAHEBPUR KAMAL District- BEGUSARAI

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Chhotu Kumar Choudhary, Son of Mahesh Choudhary, Resident of
Village- Deeha, P.S.- Sahebpurkamal, District- Begusarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party: Mr. Rajendra Pd. Nat, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 18-10-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 19.11.2016 in connection with Shahebpurkamal P.S. Case No. 240 of 2016 for the offences alleged under Sections 25(1-B)a, 26, 35 of the Arms Act.

3. It is submitted that the petitioner has been falsely implicated and even in the seizure list, one country made pistol loaded with one live cartridge, apart from one cartridge from the pocket of the petitioner, has been recovered.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case and having regard to the period of custody since 19.11.2016, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate V, Begusarai in connection with Shahebpurkamal P.S. Case No. 240 of 2016, on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any



similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

B.T/Chandran

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