

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60828 of 2017

Arising Out of PS.Case No. -368 Year- 2017 Thana -TEKARI District- GAYA

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1. Ankit Raj @ Amarnath S/o Lalchandra Sah @ Saw @ Lalachand Saow,
R/o Village- Sahopur, P.S.- tekari, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. Sri Ram Priya Saran Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 20-12-2017 Heard learned counsel for the petitioner as well as
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Tekari P.S. Case No.368 of 2017 registered for the offences
punishable under Sections 414 and 34 of the Indian Penal Code
and Sections 25(1-b)A, 26/35 of the Arms Act.

The informant of this case is a police officer. It is alleged
that he in course of patrolling apprehended three persons moving
on a motorcycle and from possession of this petitioner one country
made loaded pistol was recovered. The contention of learned
counsel for the petitioner is that this is a case of plantation of
firearm. It is further submitted that nothing has been recovered
from his conscious possession. It has been further submitted by
the learned counsel for the petitioner that the seizure list



does not bear the signature of this petitioner, which is sufficient to establish that recovery was not made in his presence. The petitioner is in custody since 20.09.2017 having clean antecedent.

The learned A.P.P. for the State opposed the submission.

Considering the facts and circumstances of the case, the prayer of bail is allowed. The petitioner, named above, is directed to 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 the learned Chief Judicial Magistrate, Gaya in connection with Tekari P.S. Case No.368 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) If the petitioner is found involved in future in similar type of allegation, the prosecution will have liberty to move for cancellation of bail.
- (iv) 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 reasons, the prosecution is free to move for cancellation of his bail.

(Sanjay Kumar, J)

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