

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60783 of 2017

Arising Out of PS.Case No. -151 Year- 2017 Thana -BARHARA District- BHOJPUR

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Shivam Singh @ Niraj Singh @ Baua Singh S/o Mukesh Singh @ Manjeet Singh, R/o Naknam Tola, P.S.- Barahara , District- Bhojpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pathak, Adv.

For the Opposite Party/s : Mr. Bisheshwar Ram, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 20-12-2017 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner seeks bail in connection with Barahara Police Station Case No. 151 of 2017 registered for the offences under sections 25(1-b)A, 26 of the Arms Act.

The above case has been registered on the basis of self statement of S.H.O. of Barahara Police Station. It is alleged that on getting information he along with police party went at the residence of this petitioner and surrounded his house. On seeing the police party, the petitioner attempted to escape but on chase he was apprehended and from his possession, one country-made pistol and two live cartridges were recovered.

The petitioner has denied the allegation made in the FIR and claimed that he has been falsely implicated in the



aforesaid case at the instance of villagers who are hostile to his family. The petitioner is in custody since 20.05.2017 having one case on his head bearing Budha Police Station Case No. 365 of 2016 registered for the offences under sections 307 and 504/34 of the Indian Penal Code and in that case he is on bail.

Considering the facts and circumstances of the case, the prayer of bail is allowed and the above named petitioner is directed to be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Arrah in connection with Barahara Police Station Case No. 151 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 reasons, the prosecution is free to move for cancellation of his bail.

(Sanjay Kumar, J)

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