

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.6352 of 2017

Arising Out of PS.Case No. -199 Year- 2016 Thana -GAURICHAK District- PATNA

=====

Shayam Babu Rai, Son of Late Pancchi Lal Rai, Resident of Village-
Sivachak, P.S. Gourichak, P.O. Gourichak, District Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Manish Mohan Kateryar

For the Opposite Party/s : Mr. Smt Sangeeta Sharma

=====

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 18-03-2017 Heard learned counsel for the petitioner and learned counsel
representing the State.

Petitioner seeks bail in connection with Gaurichak P.S.
Case No. 199 of 2016 registered for the offences punishable under
Sections 27/25(1-b)a, 26 of the Arms Act and Sections 47
(a)/58(b) of Bihar Excise Act.

Allegedly, acting on an information that the petitioner after
taking rifle is taking drink with his associates, raid was conducted
and then the petitioner after seeing the Police party opened fire on
Police personnel but after chase he was apprehended as he fell
down and from his possession rifle of .315 bore and empty
magazine and further three live cartridge of .315 bore were
recovered. From the place of occurrence two liters country made
mahua liquor was also recovered.



Submission is of false implication and that the petitioner is in custody since 03.09.2016, he has been made victim of circumstances and as such he deserves sympathetic consideration.

Learned APP opposes the prayer of bail by submitting that the petitioner has got criminal antecedent and he has opened fire upon the Police personnel. The petitioner was in drunken state then he fell down and thereafter, he was apprehended.

In the facts and circumstances stated above, considering the custody of the petitioner, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Patna City, Patna in connection with Gaurichak P.S. Case No. 199 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

avin/-

U		T	
---	--	---	--

