

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52823 of 2017

Arising Out of PS.Case No. -325 Year- 2017 Thana -MARHAURA District- SARAN

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1. Ashish Singh, son of Lalan Singh, resident of village- Haradev Tola
Saraiya, Police Station- Baniyapur, District- Saran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Roy, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 12-12-2017

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Morhowrah P.S.**

Case No.325 of 2017 instituted for the offence under Section(s)
25(1-b)a, 26 of the Arms Act.

Counsel for the petitioner has submitted that he has
been falsely implicated in this case. He was not present at the
place of occurrence and Bolero vehicle, which was alleged to
have been checked by the informant, does not belong to him.
Seizure list is enclosed with First Information Report, which is
prepared at 01.15 AM and the alleged occurrence has taken place
at 00.15 AM.

In the written report, it is alleged that the petitioner
fled away from the place of occurrence. From the seizure list, it is



clear that it was prepared at 01.15 AM, whereas, alleged occurrence has taken place at 00.15 AM.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with **Morhowrah P.S. Case No.325 of 2017**, he shall be released on anticipatory bail on furnishing bail bond of `10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **Judicial Magistrate, 1st class, Saran**, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions: (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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