

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13958 of 2017

Arising Out of PS.Case No. -83 Year- 2016 Thana -GUTHNI District- SIWAN

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1. Jitesh Tiwari, Son of Sri Dewta Muni Tiwari, Resident of village -
Pharchhuwa, P.S.- Mairwa, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rana Vikram Singh

For the Opposite Party/s : Mr. Surendra Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 27-03-2017 The petitioner is in custody since 31.07.2016 in connection with Guthani P.S. Case No. 83 of 2016, registered for offences punishable under Sections 25(1-A)(1-B), 26/35 of the Arms Act.

It has been submitted on behalf of the petitioner that according to F.I.R. itself only two cartridges have been recovered from the possession of the petitioner, however, the petitioner has sufficiently been punished for the said offence as he has remained in custody for more than eight months and as regards other criminal antecedent is concerned, he has been named in another case for the same occurrence.

Heard learned A.P.P. also.

Having heard both sides, in view of the fact and circumstances of the case, nature of offence and period of custody, let petitioner, above named, be released on bail on furnishing bail



bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Guthani P.S. Case No. 83 of 2016, 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.

(Vinod Kumar Sinha, J)

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