

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30114 of 2017

Arising Out of PS.Case No. -30 Year- 2016 Thana -SIWAN CITY District- SIWAN

=====

BADAL KHAN @ MD. BADAL KHAN @ MD.BADAL, S/o Mohan Khan @ Md. Mohsin Khan, R/o Village- Model Para, P.S.- Khurda Bangladesh, at present resident of village- Lalit Khula, P.S.- Rahera, District- 24, Pargana (West Bengal).

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Rajiv Kumar

For the Opposite Party/s : Smt. Sucheta Yadav

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 21-07-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with Siwan Town (Sarai) P.S.Case No. 30 of 2016, corresponding to Sessions Trial No. 222 of 2016, registered for the offences punishable under Sections 399, 402, 411, 412, 413, 414 of the Indian Penal Code and 25(1-B)(a), 26 & 35 of the Arms Act.

Allegation against the petitioner is that one country made loaded pistol has been recovered from his possession and he has been made accused in three other cases.

It has been submitted on behalf of the petitioner that petitioner has falsely been implicated in this case and nothing has been recovered from his possession and he is in custody for last 18 months.

Heard learned APP also.

Having heard both sides and considering the aforesaid facts and circumstances, let the petitioner, named above, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees



twenty five thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge-V, Siwan, in connection with Sessions Trial No. 222 of 2016, arising out of Siwan Town (Sarai) P.S.Case No. 30 of 2016, subject to the conditions that :-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable properties 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 reason, the prosecution is free to move for cancellation of his bail.
- (iv) If petitioner has been made accused in such type of cases in future, his bail bond shall be cancelled.

(Vinod Kumar Sinha, J)

spal/-

U			
---	--	--	--

