

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31779 of 2017

Arising Out of PS. Case No. -239 Year- 2017 Thana -SASARAM MUFFSIL District- SASARAM
(ROHTAS)

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Chhotu Ram, S/o Sheyam Sunder Ram, Resident of Village- Sahpur,
P.S.- Sasaram (Mufasil), District- Rohtas.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Jagdish Prasad,
Mr. Umeshanand Pandit, Advocates

For the State : Mr. Rajendra Pd. Nat, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 13-07-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 03.03.2017 in connection with Sasaram (Mufasil) P.S. Case No. 239 of 2017 for the offences alleged under Sections 379 and 414/34 of the Indian Penal Code and Section 25(1-b)a and 26 of the Arms Act.

3. It is submitted that the petitioner has been falsely implicated in connection with recovery of one country made pistol and three cartridges and no such occurrence, as alleged, has taken place. The motorcycle in question is not a stolen property rather the same has been purchased by the petitioner. The prosecution story is doubtful considering that the seizure list does not contain the signatures of any independent witnesses. The petitioner is on bail in one of two prior cases in which he has been made accused and has been acquitted in other case.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction



of learned Chief Judicial Magistrate, Rohtas at Sasaram in connection with Sasaram (Mufasil) P.S. Case No. 239 of 2017 with the following conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

B.T/Chandran

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