

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42195 of 2017

Arising Out of PS.Case No. -190 Year- 2017 Thana -SHASTRINAGAR District- PATNA

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Naman Jha, Son of Girish Kumar Jha, resident of Village- Kisunpur
Yusuf, P.S.- Sarai Ranjan, District- Samastipur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Chandra

For the Opposite Party/s : Mr. Sri Anil Kumar Singh 1

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 21-09-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
09.04.2017 in connection with Shastrinagar P.S. Case No. 190 of
2017 for offences punishable under Sections 25(1-b)a, 26 and 35
of the Arms Act.

The prosecution case, as lodged by the informant, that
on patrolling duty they saw two persons on a motorcycle in a
suspicious condition who tried to flee away but the motorcycle
was intercepted and the petitioner along with one other was
apprehended. From the possession of the petitioner one country
made pistol and one live cartridge was recovered.

It has been submitted by the learned counsel for the



petitioner that he is innocent, is a student and is preparing for competitive examination. He submits that no overt act is alleged to have been committed by the petitioner and that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner does not have a clean antecedent and one more case of serious nature and under Arms Act is pending against him.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub Judge-IV, Patna-cum-Additional Chief Judicial Magistrate, Patna in connection with Shastrinagar P.S. Case No. 190 of 2017, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner and that petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds. It is also made clear that if the



petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

Devendra/-

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