

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42245 of 2017

Arising Out of PS.Case No. -365 Year- 2016 Thana -JAMUI District- JAMUI

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1. Sonu Singh @ Sonu Kumar Singh @ Sonu Kumar, Son of Parmanand Singh, R/o Village- Bihari, P.S.- Jamui, District- Jamui.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dipak Kumar

For the Opposite Party/s : Mr. Rajeev Nayan

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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 24.11.2016 in connection with Jamui P.S. Case No. 365/2016 for offences punishable under Sections 25(1-b)a/26/35 of the Arms Act.

The prosecution case, as lodged by the police personnel, is that on a secret tip off they raided a hut near Kali Mandir Transformer and two persons including the petitioner, who were trying to flee away, were apprehended. From the possession of the petitioner one country-made pistol and two live cartridges along with cash was recovered. Accordingly, a seizure-list was prepared.



It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case. He submits that no overt act has been committed, 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 is a habitual offender and is involved in four cases earlier some of similar nature.

Considering the facts and circumstances and the materials on record and the period of custody, 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 Chief Judicial Magistrate, Jamui, in connection with Jamui P.S. Case No. 365/2016, 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 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. It is also made clear that the petitioner will also



appear before the concerned police station in the first week of every month.

(Nilu Agrawal, J)

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