

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56161 of 2017

Arising Out of PS. Case No.-37 Year-2017 Thana- PHULWARIA District- Begusarai

Sumit Kumar, s/o Pradip Sah, resident of Lohia Nagar, Ward No.28, P.S.
Lohia Nagar, District, Begusarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Gautam

For the Opposite Party/s : Mr. HUMAYOU AHMAD KHAN

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 23-11-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for offences punishable under Sections 399 and 402 of the I.P.C. and Section 25(1-b)a, 26/35 of the Arms Act and Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

It is contended that, as per allegation, a country made loaded pistol and a live cartridge were recovered from the possession of the petitioner and police has also recovered one bottle of foreign liquor containing 375 ml. and one open bottle containing 180 ml. from the place of occurrence. Petitioner claims that he is having clean antecedent and is in custody since 01.04.2017, i.e., more than six months.

Having regard to the facts and the circumstances of



the case and period of incarceration, the abovenamed petitioner is directed to be released on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Begusarai in connection with Fulwaria P. S. Case No. 37 of 2017 with a condition that one of the bailors must be the father of the petitioner.

Further, if the petitioner, after his release in this case, is again found to be involved in similar nature of case then the court concerned would be at liberty to take steps for cancellation of his bail bond.

At the time of accepting bail bond, the court below would verify the antecedent of the petitioner and if he is found to be involved in any case prior to filing of present case, i.e., 17.11.2017, he would not be released.

(Dr. Ravi Ranjan, J)

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