

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42997 of 2017

Arising Out of PS. Case No.-318 Year-2017 Thana- SUPAUL District- Supaul

Ravindra @ Rabane Mukhiya, S/o Yogendra, Resident of Village- Chaudhara,
P.S.- Supaul, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. SRI AHTASH ALI KHAN

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 20-09-2017 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Supaul P.S.Case N0. 318 of 2017, disclosing offences under Sections 25(1-B)A,26 of the Arms Act.

Learned senior counsel appearing on behalf of the petitioner has submitted that as per the allegation in the First Information Report, the fire arm was snatched by private persons and thereafter the petitioner was produced before the police with the said fire arm. He submits that no offence under Sections 25(1-B)A, 26 of the Arms Act can be said to be made out since on the basis of allegations, which have been made in the First Information Report, though offence under Section 37 of the Arms Act is made out, which is bailable. He submits that



because of the levelling of the section, petitioner apprehends that he would not be allowed regular bail by the Court below.

Be that as it may, in the facts and circumstances of the case, this application is allowed.

Let the petitioner above named in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Supaul in Supaul P.S. Case No. 318 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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