

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40421 of 2017

Arising Out of PS.Case No. -170 Year- 2017 Thana -NOKHA District- SASARAM (ROHTAS)

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1. Munna Kumar Son of Ravindra Singh, Resident of Village-Ram Nagar,
Police Station-Nokha, District-Rohtas (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Singh

For the Opposite Party/s : Mr. Murli Dhar

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 02-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
03.06.2017 in connection with Nokha P.S. Case No. 170/2017
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 information that three persons armed with
weapons are creating nuisance near the egg shop of Nasim
Akhtar, the police apprehended the petitioner along with two
others. On search, from the possession of the petitioner one
country-made pistol and four live cartridges were recovered
while from the possession of two others mobile phones were



recovered. Accordingly, a seizure-list was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and has been falsely implicated in the aforesaid case. He submits that no overt act has been committed and he is languishing in judicial custody for nearly five months. He further submits 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.

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 Addl. Chief Judicial Magistrate, Rohtas at Sasaram, in connection with Nokha P.S. Case No. 170/2017, subject to the following conditions :

- (i) Both the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating their relationship with the petitioner.
- (ii) 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)

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