

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 52871 of 2017

Arising Out of PS.Case No. -115 Year- 2017 Thana -LAXMIPUR District- JAMUI

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Raj Kumar Sharma @ Gannu Sharma, son of Sri Gobardhan Sharma,
resident of Village – Pairgaha, PS – Jhajha, District - Jamui

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Umesh Prasad, Advocate

For the S t a t e : Mr Satyendra Narayan Singh, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 **09-11-2017**

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner seeks bail in a case registered under
Sections 399, 402 of Indian Penal Code and Sections 25 (1-B) a,
26/35 of Arms Act.

The police received secret information regarding
some criminals planning to commit offence. Thereafter, they
reached the place of occurrence where the instant petitioner along
with some other persons is said to have been apprehended.
Recovery of one country made *katta* loaded with cartridge and one
live cartridge are alleged against the petitioner. Petitioner submits
that the seizure list has been prepared without any independent
witness. It is further submitted that the petitioner has falsely been
implicated in this case and he has been arrested from his



residence. It is also submitted that the petitioner is in custody since 26.06.2017.

Considering the aforesaid submissions, petitioner's prayer for bail is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate III, Jamui in Laxmipur Police Station Case No 115 of 2017 subject to the following conditions:

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will give an undertaking that he will receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse.

(iii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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