

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No 52887 of 2017

Arising Out of PS.Case No. -250 Year- 2017 Thana -KHAZANIHAT District- -

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Gugul Mandal @ Hira Lal Rai @ Gugal Mandal Son of Late Uttam Lal Rai
Resident of Village-Chhath Pokhar P.S. K.Hat (Sahayak), District Purnea

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Ram Prawesh Kumar, Advocate

For the State : Mr Ram Bachan 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 25 (1-B) A, 26/35 of Arms Act.

The first information report has been lodged alleging
that the petitioner and other co-accused persons, with the intention
of threatening the informant, indulged in firing with the intention
to grab his land. It is submitted by the counsel for the petitioner
that according to seizure list, only one country made pistol and
one cartridge have been recovered from the possession of the
petitioner. It is further submitted that the petitioner has not been
apprehended at the place of alleged occurrence nor anything
incriminating has been recovered from his possession, as alleged.



It is also submitted that the petitioner bears clean antecedent and prior to the instant case, he has not been implicated in any other case and he is in custody since 16.04.2017.

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 Chief Judicial Magistrate, Purnea in K Hat (Sahayak) Police Station Case No 250 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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