

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56955 of 2017

Arising Out of PS.Case No. -239 Year- 2017 Thana -NAUBATPUR District- PATNA

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1. Ashok Ojha, Son of Late Ram Ishwar Ojha @ Rameshwar Ojha, Resident of village Shirwqar, Police Station Naubatpur, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar

For the Opposite Party/s : Mr. Sri Nirmal Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 12-12-2017 Heard learned counsel for the petitioner as well as learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Naubatpur P.S. Case No.239 of 2017, G.R. No.2563 of 2017 registered for the offences punishable under Section 25(1-B)a and 26 of the Arms Act.

This case has been registered on the basis of self statement of police. It has been alleged that on getting information police party conducted raid at the place of occurrence where they found scuffle between two groups. The petitioner was arrested by local people and on search a country made pistol along with two live cartridges were recovered from his possession. It has been submitted that the petitioner is handicapped person and he is in



custody since 10.08.2017.

The learned A.P.P. for the State opposed the submission.

Considering the facts and circumstances of the case, the prayer of bail is allowed. The petitioner, named above, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of the learned A.C.J.M. II, Danapur in connection with Naubatpur P.S. Case No.239 of 2017, G.R. No.2563 of 2017, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) If the petitioner is found involved in future in similar type of allegation, the prosecution will have liberty to move for cancellation of bail.
- (iv) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Sanjay Kumar, J)

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