

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59925 of 2017

Arising Out of PS.Case No. -117 Year- 2017 Thana -TAJPUR District- SAMASTIPUR

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Vir Chand Kumar @ Beer Chandar Kumar, Son of Late Bahadur Rai,
resident of Village Kushar, Chowk P.S. Mahua, Distt. Vaishali.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Man Mohan Kumar, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 12-12-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 24.04.2017 in connection with Tajpur Waini P.S. Case No. 117 of 2017 for the offences alleged under Sections 25(1-B)A, 26 and 35 of the Arms Act.

3. It is submitted that the petitioner has been falsely implicated on mere suspicion and only because he happens to be the driver of the *Bolero* vehicle bearing Registration No. BR07PA-8781 which had been hired by other co-accused persons. There is no recovery of any arms whatsoever from the conscious possession of the petitioner. The petitioner was also implicated in Tajpur Waini P.S. Case o. 116 of 2017 for the offences under Sections 395, 397 and 412 of the Indian Penal Code in which he has been granted bail by this Court in Cr. Misc. No. 55664 of 2017. Other than the said case petitioner claims clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioner above



named 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 learned Additional Chief Judicial Magistrate I, Samastipur, in connection with Tajpur Waini P.S. Case No. 117 of 2017, on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

Md. Ibrarul/Chandran

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