

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4240 of 2017

Arising Out of PS.Case No. -318 Year- 2016 Thana -KOTWALI District- MUNGER

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1. Rajendra Mandal, Son of Late Hajari Mandal, resident of village - Lal Darwaja Mahadalit Tola, P.S. Kotwali, District - Munger

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad

For the Opposite Party/s : Mr. Sri Kumar Ranjit Ranjan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 13-02-2017 Heard the parties.

This application has been filed in connection with Kotwali P.S.Case No.318 of 2016 for the offence under Sections 414 of the Indian Penal Code and 25 (1-B)A, 26 (1)35 of the Arms Act and 30 (a) of Bihar Excise Prohibition Act.

It is submitted on behalf of the petitioner that though there is alleged recovery of two Motorcycles, four bottles of Foreign made liquor, Gass Cutter, Microscope and two Pistols. The petitioner is aged about 80 years. He has clean antecedent and the recovery has been made from the outside the house of the petitioner and further there is no independent witness to the seizure list. The petitioner is in custody for about four months.

Heard learned A.P.P. also, who has opposed the prayer for



bail.

Having heard both sides. No doubt there is recovery of two Motorcycles, four bottles of Foreign made liquor, Gass Cutter, Microscope and two Pistols from the house of the petitioner but the petitioner has clean antecedent. The submission of the learned counsel for the petitioner is that the petitioner is aged about 80 years. Considering the above fact, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Munger in connection with Kotwali P.S.Case No.318 of 2016.

With 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) The petitioner shall co-operate 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.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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