

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1765 of 2017

Arising Out of PS.Case No. -98 Year- 2016 Thana -MAUZAHDIPUR District- BHAGALPUR

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Vikash Sah, S/o Late Ashok Sah, Resident of Village- Ganeshpur
Tinpuliya, P.S.- Jagdishpur, District- Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 03-02-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks bail in connection with Sessions Trial
No.621 of 2016, arising out of Mojahidpur (Babarganj) P.S. Case
No.98 of 2016, registered under Sections 399 and 402 of the Indian
Penal Code besides Sections 25(1-B), 26 and 35 of the Arms Act.

The accusation is of recovery of one loaded country made
pistol and three live cartridges from the possession of the petitioner.

Learned counsel appearing on behalf of the petitioner
submits that the petitioner has falsely been implicated in this case and is
in custody since 25.06.2016. Further submission is that while the
petitioner is accused in three other cases, as detailed in paragraph-3 to
this application, also but in all that cases, the petitioner is on bail. It is



further submitted that the petitioner undertakes that he will attend the court on each and every date fixed in this case during the course of the trial.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge-IV, Bhagalpur, in connection with Sessions Trial No.621 of 2016, arising out of Mojahidpur (Babarganj) P.S. Case No.98 of 2016. Out of the two sureties, one must be close relative of the petitioner, who will file an affidavit giving genealogy as to how he/she is related with the petitioner. The bailors will undertake to furnish information to the court about any change in the address of the petitioner. Further, the petitioner shall attend the trial court on each and every date fixed in the case during the course of the trial. If the petitioner fails to attend the trial court on two consecutive dates during the course of trial without any reasonable cause being shown, the trial court would be at liberty to cancel the bail bonds of the petitioner.

(Rajendra Kumar Mishra, J)

P.S./-

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