

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.4031 of 2017

Arising Out of PS.Case No. -216 Year- 2016 Thana -SUGAULI District-
EASTCHAMPARAN(MOTIHARI)

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Nawal Kumar, son of Sri Ramnath Sah, resident of Village- Noneya
Pakariya, P.S.- Paharpur, District- East Champaran..... Petitioner

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Sri Matloob Rab

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

4 17-04-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Sugauli
P.S. Case No. 216 of 2016 registered for the offences punishable
under Sections 25(1-b)a, 26/35 of the Arms Act.

Allegedly, the person who was driving the motorcycle fled
away but the petitioner was caught as he was sitting on the back
seat and from that motorcycle one loaded pistol was recovered.
The petitioner stated that the motorcycle and pistol is of Karan
Kumar.

Submission is of false implication and that without any
recovery the petitioner is in custody since 13.10.2016, nothing was
recovered from his conscious possession, the said pistol was in the
dicky of the motorcycle and as such the petitioner deserves



sympathetic consideration.

Learned APP fairly submits that now considering the period of detention lenient view can be taken.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Sugauli P.S. Case No. 216 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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