

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10593 of 2017

Arising Out of PS.Case No. -227 Year- 2016 Thana -DIGHA District- PATNA

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Shambhu Kumar, S/o Kanhaiya Rai, R/o- Kurji Bujurg Digha Gate No.-
82, P.S.- Digha, District- Patna.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary, Advocate

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 04-04-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with
Digha P.S.Case No. 227 of 2016 registered for the offences
punishable under Sections 302/34 of the Indian Penal Code and 27
of the Arms Act.

It has been submitted on behalf of the petitioner that
only allegation against the petitioner is that he concealed one
pistol in his house, which was used in commission of crime and
except that there is nothing against him and he is in custody since
2.9.2016 having no criminal antecedent except one case under the
Arms Act lodged against him due to recovery of pistol in
connection with this case.

Heard learned APP also.

Having heard both sides and considering the facts and
circumstances of the case, as stated above and also considering the



fact that there is nothing on record that he has participated in the commission of crime, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Patna, in connection with Digha P.S.Case No. 227 of 2016, subject to the conditions that :-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) 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 reason, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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