

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26803 of 2017

Arising Out of PS.Case No. -20 Year- 2017 Thana -SABOUR District- BHAGALPUR

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1. Fulchand Sah Son of Late Dhanni Sah, Resident of Mohalla- K.B. Lal Road, Police Station- Nathnagar, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Syed Masleh-Uddin Ashraf

For the Opposite Party/s : Mr. Sri Surendra Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-07-2017 Heard the parties.

The petitioner seeks regular bail in connection with Sabour P.S.Case No.20 of 2017, registered for offences punishable under Sections 25(1-b)a, 26 and 35 of the Arms Act.

Allegation against the petitioner is that while planning robbery, the police intercepted them and on chase; arrested the petitioner and there is allegation that one mobile has been recovered from the possession of the petitioner.

Submission of the learned counsel for the petitioner is that he has been falsely implicated in this case only on the basis of suspicion and nothing has been recovered except a mobile. The petitioner has no criminal antecedent and he has remained in custody for more than five months.



Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, 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., Bhagalpur in connection with Sabour P.S.Case No.20 of 2017.

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.
- (iv) In future, if his active participation is found in similar type of cases, his bail bond shall automatically be cancelled.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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