

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.30306 of 2017**

Arising Out of PS.Case No. -132 Year- 2017 Thana -BIHTA District- PATNA

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Mukesh Singh, s/o Late Ram Japit Singh, Resident of Village- Sikandarpur,  
P.S.- Bihta, District- Patna.

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Navesh Nandan, Adv.  
Mr. Sri Nandan Pd. Singh, Adv.

For the Opposite Party/s : Mr. Sri Uday Pratap Singh, A.P.P.

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**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

4      31-08-2017                      Heard learned counsel for the petitioner and learned  
APP for the State.

Petitioner is languishing in judicial custody since  
06.03.2017 in connection with Bihta P.S. Case No. 132 of 2017  
for offences punishable under Sections 25 (A-B) a, 26 of the Arms  
Act.

The prosecution case, as lodged by the police  
personnel, is that on secret information raid was conducted in the  
house of one Nandan Paswan where the petitioner was alleged to  
be attending the birthday party and from his possession one  
country made pistol and two live cartridges along with mobile was  
recovered. Accordingly, the seizure list was prepared.



It has been submitted by the learned counsel for the petitioner that he is innocent, no overt act has been committed by him, charge-sheet has already been submitted and there is no chance of tampering with the prosecution witnesses. He submits that just because he has criminal antecedent, he has been made accused in the present case.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner is a veteran criminal and as many as four cases as shown by the petitioner and two other cases as sent by the officer in-charge of the concerned police station is pending against the petitioner.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Danapur in connection with Bihta P.S. Case No. 132 of 2017, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station/ court, who will file an affidavit stating his relationship with the petitioner and that petitioner will appear



before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds. It is also made clear that if the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.

**(Nilu Agrawal, J)**

Devendra/-

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