

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1891 of 2018

Arising Out of PS.Case No. -224 Year- 2017 Thana -SONBARSA District- SITAMARHI

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Bhanukant Suman @ Nandan, Son of Shri Ram Naresh Paswan,
Resident of Village+P.O. and P.S. Sonbarsa, District-Sitamarhi.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Adv

For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 12-01-2018 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody since 02.09.2017 in connection with Sonbarsa P.S. Case No. 224 of 2017 for the alleged offences under Sections 25(1-B)a, 26 and 35 of the Arms Act.

3. It is submitted that the petitioner has been falsely implicated in connection with alleged recovery of two cartridges from his possession when he was riding pillion behind co-accused Ranjit Kumar Baitha from whom one country made pistol and live cartridges have been recovered. It is stated that despite recovery of cartridges the petitioner was not arrested and the memorandum of arrest discloses that only co-accused Ranjit Kumar Baitha was arrested. The petitioner has been in custody for about four and ahfl months.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case as well as the period of custody since 02.09.2017 already suffered, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (ten



thousand) with two sureties of like amount each to the satisfaction of learned A.C.J.M.IV, Sitamarhi in connection with Sonbarsa P.S. Case No. 224 of 2017 on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Chandran/BT

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