

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3854 of 2018

Arising Out of PS. Case No.-48 Year-2017 Thana- JAMHORA District- Aurangabad

Jitu Singh, Son of Late Ram Pravesh Singh, resident of Village + P.S.-
Jamhore, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar
		Mr. Parmendra Kumar Singh
For the Opposite Party/s	:	Mr. Pancha Nand Pandit

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 19-02-2018 Heard learned counsel for the petitioner and learned APP
for the State.

Petitioner is languishing in judicial custody since
13.05.2017 in connection with Jamhore P.S. Case No. 48/2017
for offences punishable under Sections 25(1-b)a, 26 of the Arms
Act.

The prosecution case, as lodged by the police
personnel, is that the petitioner was an absconder in Jamhore
P.S. Case No. 29/17 and on information that the petitioner was
seen in his house, the police raided the place. The petitioner
tried to flee away, but was apprehended and from his possession
one country-made pistol with two live cartridges and a
motorcycle without any proper documents were seized.

It has been submitted by the learned counsel for the



petitioner that he is innocent and just because he has a criminal antecedent, he has been made accused in the present case. He submits that charge-sheet has already been submitted and the provisions of Section 100 Cr.P.C. has not been followed as the seizure-list has not been signed by independent witnesses.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner is a habitual offender and as many as 17 cases have been lodged against him, although, in some cases he has been acquitted.

Considering the facts and circumstances and the materials on record as well as the period of custody, 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 Chief Judicial Magistrate, Aurangabad in connection with Jamhore P.S. Case No. 48/2017, subject to the following conditions :

- (i) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.
- (ii) 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.

- (iii) The petitioner will appear before the concerned police
station in the first week of every month and will be
discharged only on certificate of good conduct by the
Officer-in-Charge of the said police station. Failure
will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

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