

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4651 of 2018

Arising Out of PS.Case No. -714 Year- 2017 Thana -BIHTA District- PATNA

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Vicky Kumar, S/o Jitan Rai, R/o Village- Gokhulpur, 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. Ravi Kant Kumar

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD
ORAL ORDER

2 01-02-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner, in the present case, is seeking regular bail in connection with Bihta P.S. Case No.714 of 2017, registered for offences alleged under Sections 25(1-B)a/26/35 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner is in custody since 19.09.2017. The allegation against the petitioner is that he was apprehended with two live cartridges of 0.315 bore together with one loaded country made pistol. He further submits that the petitioner has no criminal antecedent and he has falsely been implicated in this case.

Learned counsel for the State is present and submits



that from the allegations made in the FIR it appears that the petitioner was apprehended along with eight other accused who were also lashed with arms, therefore he is said to be a member of the gang.

Considering the facts and circumstances particularly the fact that the petitioner has no criminal antecedent and he is in custody for about four and half months by now, let the petitioner, above named, be enlarged on bail on his furnishing bail bond of Rs.15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Danapur, District-Patna in connection with Bihta P.S. Case No.714 of 2017, subject to the conditions U/S 437(3) Cr.P.C. and subject to the further condition that the petitioner shall not indulge in similar kind of offence and shall cooperate in course of trial by putting appearance before the learned court below as and when required. Two consecutive defaults in putting appearance before the learned court below shall lead to cancellation of his bail. One of the bailors should be a family member of this petitioner having no criminal antecedent.

Arvind/-

(Rajeev Ranjan Prasad, J)

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