

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25319 of 2018

Arising Out of PS.Case No. -377 Year- 2017 Thana -TRIVENIGANJ District- SUPAUL

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Vishnu Kumar Bhagat @ Vishnu Bhagat @ Babloo Bhagat, S/o Indra Narayan Bhagat @ Munna Bhagat, resident of Village- Patarghatti, P.S.- Tribeniganj, District- Supaul.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh

For the Opposite Party/s : Mr. Sri Ram Bachan Singh

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 17-05-2018 Heard learned counsel for the petitioner and the learned counsel appearing on behalf of the State.

The petitioner is in custody since 11.11.2017 in connection with Triveniganj P.S. Case No.377 of 2017 registered for the offence under Sections 25(1-b)a,26 and 35 of the Arms Act.

Learned counsel for the petitioner submits that the allegation is of seizure of *Deshi Katta*, but the I.O. has produced the arms, the description of which is different from that which is alleged to have been seized. It is further submitted that such recovery is not from the conscious possession and only on the basis of signature of the petitioner having been taken on the blank paper, the petitioner has been implicated in this case.

In view of the aforementioned facts and



circumstances and the discrepancy in the seizure list, let the petitioner, above named, be released on bail on his 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-I, Supaul, in connection with Triveniganj P.S. Case No.377 of 2017, subject to the following conditions:

(1) One of the bailors will be the father of the petitioner.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of his failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) 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.

(Anjana Mishra, J)

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