

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36944 of 2018

Arising Out of PS.Case No. -11 Year- 2018 Thana -SINGHESHWARASHTHAN District-
MADHEPURA

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Nikesh Kumar @ Rinku, Son of Vivek Prasad Yadav @ Vivek Yadav,
Resident of Village- Satokhar Ward No.11, P.S.- Singheshwar Dist-
Madhepura

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Advocate

For the Opposite Party/s : Mr. Prem Kumar Jha, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 17-07-2018 Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the State.

The petitioner is in custody since 18.01.2018 in
connection with Singheshwar P.S. Case No.11 of 2018 registered
for the offence under Sections 25(1-b)A and 26 of the Arms Act.

Learned counsel for the petitioner submits that only
because the petitioner had been named in one case, bearing
Singheshwar P.S. Case No.298 of 2017, by some co-accused
persons, who had alleged that the petitioner had hands in the said
occurrence, the petitioner was also suspected to be one of the
accused persons of the present case and in connection with the
earlier case, the house of the petitioner was raided and this



petitioner was arrested. It is only on his arrest that the name of the petitioner has surfaced and charge under the Arms Act has been levelled against him, though there is no recovery from his conscious possession. It is further submitted that the petitioner has already been in custody for almost six months and the petitioner is willing to abide by the conditions of this Court.

In view of the aforementioned facts and circumstances, 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 the learned Chief Judicial Magistrate, Madhepura, in connection with Singheshwar P.S. Case No.11 of 2018, subject to the following conditions:

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(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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