

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4054 of 2018

Arising Out of PS. Case No.-288 Year-2017 Thana- HAJIPUR District- Vaishali

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Sujeet Kumar, son of Basudeo Rai, Resident of village – Chak Sakara, P.S.
Hajipur Sadar, District Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 17-02-2018 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
30.04.2017 in connection with Hajipur Town P.S. Case No. 288
of 2017 registered for the offence punishable under Sections
25(1-B)A, 26 and 35 of the Arms Act.

The prosecution case, as lodged by the police
personnel, is that the petitioner was apprehended with one
country made pistol and one live cartridge. Accordingly, a
seizure-list was prepared.

It has been submitted by the learned counsel for the
petitioner that he is innocent and the seizure-list has also not
been prepared in accordance with Section 100 of the Cr.P.C. He
submits that charge-sheet has already been submitted and there



is no allegation of tampering with the prosecution witnesses by the petitioner.

However, learned A.P.P. for the State opposes the prayer for bail stating therein that the petitioner is involved in three more cases and does not have a clean antecedent.

Considering the facts and circumstances and the materials on record and also the period of custody and that no overt act has been alleged to have been committed, let the petitioner, named above, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Town P.S. Case No. 288 of 2017, subject to the conditions that:

(1) Both the bailors would be close relative of the petitioner having sufficient immovable properties, who will file an affidavit stating their relationship with the petitioner.

(2) It is also made clear that if, in future, petitioner indulges in an offence of similar nature, the prosecution will be at



liberty to move the learned Court below for
cancellation of his bail bonds.

(Nilu Agrawal, J.)

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