

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43845 of 2018

Arising Out of PS. Case No.-162 Year-2018 Thana- BODHGAYA District- Gaya

Vijay Sao @ Vikky Sao, Son of Jawahir Sao, Resident of Village & P.S.-
Rajgir, District- Nalanda, at present village- Jaipur, P.S.- Fatehpur, District-
Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Paras Nath, Adv.

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP 144

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 31-07-2018 Learned counsel for the petitioner is permitted to
make necessary correction by adding “Cherki” in prayer portion
of the bail application so as to make tally with paragraph 1 of
the application.

Heard learned counsel for the petitioner and the State.

The petitioner is languishing in jail since 10.03.2018
in connection with S. Tr. No. 73 of 2018/246 of 2018 arising out
of Bodh Gaya (Cherki) P.S. Case No. 162 of 2018 registered
under Sections 399 and 402 of the Indian Penal Code and 25(1-
B)a, 26 and 35 of the Arms Act.

Learned counsel for the petitioner submits that though
he is named in the first information report and the only
allegation against the petitioner is that certain cartridges were



recovered from his possession, it is, further, submitted that the same was not recovered from his conscious possession and was recovered from the garden.

Considering the aforementioned facts and circumstances and that the petitioner has got no criminal antecedent, let the petitioner, named above, be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with S. Tr. No. 73 of 2018/246 of 2018 arising out of Bodh Gaya (Cherki) P.S. Case No. 162 of 2018 to the satisfaction of the Additional Sessions Judge, II, Gaya, on the following conditions.

(1) One of the bailors will be his own blood relative, preferably father, mother, brother, sister 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 failure on two consecutive dates without sufficient reasons, his bail bond 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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