

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1893 of 2018

Arising Out of PS.Case No. -473 Year- 2016 Thana -HAJIPUR (Town) District-
VAISHALI(HAJIPUR)

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Bunty Kumar, Son of Laxman Vishkarma, R/o Village- Pitwans, P.S.-
Naubatpur, District- Patna.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Indra Mohan Kumar, Advocate

For the Opposite Party : Mr. J.K. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 12-01-2018 Heard learned counsel for the petitioner and learned APP for
the State.

2. The petitioner is in custody since 09.07.2016 in connection with Hajipur (Town) P.S. Case No. 473 of 2016 for the alleged offences under Section 414 of the Indian Penal Code and 25(1-b)a, 26(II) of the Arms Act.

3. It is submitted that the petitioner has been falsely implicated in connection with alleged recovery of one country made pistol and one cartridge. In any event, the petitioner has been in custody for about one and half years. A statement is made at bar that the petitioner was not an FIR named accused in the only other case namely, Hazipur Town P.S. Case No. 470 of 2016 in which he has been made accused and in which he has already been granted bail.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction



of learned Chief Judicial Magistrate, Hajipur (Vaishali) in connection with Hajipur (Town) P.S. Case No. 473 of 2016 on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That 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.

(iv) That 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 reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(v) That the learned Court below will verify the correctness of the statement made on behalf of the petitioner that he was not named in the FIR in respect of Hazipur Town P.S. Case No. 470 of 2016.

(Vikash Jain, J)

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