

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.58250 of 2018**

Arising Out of PS.Case No. -502 Year- 2018 Thana -SITAMARHI District- SITAMARHI

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1. Ashish Saurabh @ Ashisha Saurabh Son of Dinanath Singh, resident of  
Village- Rajopatti, P.S. Sitamarhi, District Sitamarhi.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ashhar Mustafa

For the Opposite Party/s : Mr. Sri Amit Kumar Rakesh

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**CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR**  
**ORAL ORDER**

2      06-10-2018                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner seeks regular bail in connection with  
Sitamarhi P.S. Case No.502 of 2018 registered for the offences  
punishable under Sections 25(1-b)a, 26 and 35 of the Arms Act.

Informant of this case, who is a police officer,  
apprehended this petitioner and co-accused. On search, police  
recovered one loaded pistol from possession of this petitioner.

It has been submitted that nothing has been recovered  
from possession of this petitioner. He is a business man. The  
seizure list shows that it was prepared at the police station after  
registration of the F.I.R. He is in custody since 15.05.2018  
having clean antecedent and so he deserves bail.



The learned A.P.P. for the State opposed the submission.

Considering the facts and circumstances of the case, the prayer of bail is allowed. The petitioner, named above, is directed to 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 the learned Chief Judicial Magistrate, Sitamarhi in connection with Sitamarhi P.S. Case No.502 of 2018, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) If the petitioner is found involved in future in similar type of allegation, the prosecution will have liberty to move for cancellation of bail.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

**(Sanjay Kumar, J)**

Harish/-

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