

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67018 of 2018

Arising Out of PS. Case No.-657 Year-2018 Thana- BIHTA District- Patna

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Ajit Kumar S/o Late Rajdeo Singh Village Painal,P.S. Bihta,Distt.-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Sharma

For the Opposite Party/s : Mr. Sri Bal Mukund Prasad Sinha

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 26-11-2018 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Bihta P.S. Case No. 657 of 2018 registered for the offences punishable under Section 399, 402, 414 and 120B of the Indian Penal Code and under Section 25(1-b), 26 and 35 of Arms Act.

Allegation against petitioner is of recovery of one country made pistol and two live cartridges from his possession.

It has been submitted on behalf of the petitioner that he is innocent and committed no offence. Nothing has been recovered from his possession. Allegation against petitioner is false and concocted. He is in custody since 18.06.2018.

Considering the nature of allegation against petitioner, I am not inclined to grant bail to the petitioner. Accordingly the prayer for bail is rejected at this stage.



However, after six months of custody the petitioner shall be enlarged on bail by the court below on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Danapur, in connection with Bihta P.S. Case No. 657 of 2018.

With the aforesaid liberty this criminal miscellaneous stands **disposed of**, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and valid reason trial court shall have liberty to cancel his bail bond.
- (3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

Rajiv/Manoj-

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