

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70454 of 2018

Arising Out of PS. Case No.-385 Year-2018 Thana- GARKHA District- Saran

Sonu Kumar, Son of Mahesh Sah, resident of Village- Garkha, P.S. - Garkha,
District- Saran, Chapra.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sachida Nand Rai, Advocate
For the Opposite Party/s : Mr. Sri Amitesh Kumar (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 07-12-2018 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Garkha P.S. Case No. 385 of 2018 registered for the offences punishable under Section 399 and 402 of the Indian Penal Code and under Section 25(1-B) A, 26 and 35 of the Arms Act.

Allegation against petitioner is recovery of one country made gun and two cartridges from the possession of the petitioner.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been falsely implicated in this case. Nothing has been recovered from the possession of petitioner. He has no criminal antecedent and



he is in custody since 08.09.2018.

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 judicial 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 XIV, Saran, Chapra in connection with Garkha P.S. Case No. 385 of 2018 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 properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and their absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.
- (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.

Accordingly, this Criminal Miscellaneous is here by disposed of.

(S. Kumar, J)

Rajiv/Manoj-

U		T	
---	--	---	--

