

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70375 of 2018

Arising Out of PS. Case No.-159 Year-2018 Thana- KOPA District- Saran

Vijay Singh son of Harendra Singh, Resident of Village- Nandamura, Police Station- Siswan, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Roy, Advocate

For the Opposite Party/s : Mr.Sri Ram Sevak Choudhary (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 20-12-2018 Heard learned counsel for petitioner and learned counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Kopa P.S. Case No. 159 of 2018 registered for the offences punishable under Sections 414/34 of the Indian Penal Code and Section 25(1-b)a, 26, 35 of Arms Act.

Informant who is police officer has alleged that while he was on duty along with other police personnel, on seeing police party petitioner along with one co-accused tried to escape from there but were arrested and on search one pistol and five cartridges were recovered from his possession.

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 was recovered from his



conscious possession of the petitioner. Petitioner has no criminal antecedent and is in custody since 08.09.2018.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-5th, Saran, in connection with Kopa P.S. Case No. 159 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 his 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.

(S. Kumar, J)

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