

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72819 of 2018

Arising Out of PS. Case No.-234 Year-2018 Thana- MIRGANJ District- Gopalganj

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Santosh Baitha, Son of Late Rajendra Baitha, Resident of Village-
Badarjimi, P.S.- Mirganj, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar

For the Opposite Party/s : Mr. Sri Rajendra Singh Shastriji

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 12-12-2018

Heard learned counsel for the parties.

Petitioner seeks bail in **Mirganj P.S. Case No. 234 of 2018** registered for the offence punishable under Section 25(1-b)a, 26 of the Arms Act.

Informant has alleged that on receiving information that there was some dispute going between the two rival parties, he alongwith police force reached there and on seeing police several persons started fleeing including petitioner and from the grass outside the house of petitioner one Rifle, 2 country made pistol, 4 live cartridges and one loaded country made pistol were recovered .

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case due to group rivalry as the wife of the petitioner has been elected as



Ward Member of Panchayat. There are other cases in which petitioner has been made accused but those are also on account of political rivalry and there is case and counter case between the rival parties.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Chief Judicial Magistrate, Gopalganj**, in connection with **Mirganj P.S. Case No. 234 of 2018**, with following 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 the Court and his absence on two consecutive dates without sufficient reason, 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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