

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72103 of 2018

Arising Out of PS. Case No.-126 Year-2018 Thana- UCHKAGAON District- Gopalganj

Sumit Kumar Dubey, Son of Satyendra Dubey, resident of Village- Turkapatti,
P.S. Hathuwa, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harendra Prasad

For the Opposite Party/s : Mr. Sri Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 06-12-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in **Uchakagaon P.S. Case No. 126 of 2018** instituted for the offence under Section(s) 414 Indian Penal Code and Sections 25(1-B)A, 26 and 35 of the Arms Act.

It is alleged in the written report that on getting secret information police party reached at the place of occurrence and apprehended three persons including the petitioner, who were riding on motorcycle. On search, one loaded country made pistol along with a live cartridge was recovered from possession of this petitioner.

Learned counsel for the petitioner has submitted that petitioner is *bonafide* owner of aforesaid motorcycle, which has



been released in his favour by the order of learned ACJM IXth,
Gopalganj.

Petitioner is in custody since 10.05.2018.

Keeping in view the period of custody already spent by
petitioner, prayer of the petitioner for grant of bail is allowed. Let
the petitioner, above named, be released on bail on furnishing bail
bonds of Rs.10,000/- (ten thousand) with two sureties of the like
amount each to the satisfaction of the **Additional Chief Judicial
Magistrate, XI, Gopalganj,** in connection with **Uchakagaon
P.S. Case No. 126 of 2018**, subject to the condition that

- (I) both the bailors shall be the close relative of the
petitioner.
- (II) Petitioner shall be present on each and every
date fixed by the court and absence on two
consecutive dates without valid reason will
result in cancellation of bail bond of the
petitioner and
- (III) if petitioner tamper with the evidence in the
case, prosecution will be at liberty to move for
cancellation of bail bond of the petitioner.

(Sanjay Priya, J)

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