

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75508 of 2018

Arising Out of PS. Case No.-662 Year-2018 Thana- MADHEPURA District- Madhepura

Pramod Kumar, S/o Jagdish Yadav @ Sharma @ Jagdish Sharma, Resident
of Village- Jiwachhpur, P.S.- Gamhariya, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 17-12-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, who is in custody, seeks bail in connection with Madhepura P.S. Case No. 662 of 2018 registered for the offence punishable under Sections 398 of the Indian Penal Code and Section 25 (1-B) a, 26, 35 of the Arms Act.

Allegation is recovery of one country made pistol and one live cartridge from the possession of petitioner. The motorcycle on which three accused who were apprehended by the police was also stolen one and was seized. Petitioner has no criminal antecedent and he is in custody since 19.08.2018.

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 would be enlarge on bail by the court below itself on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Madhepura, in connection with Madhepura P.S. Case No. 662 of 2018 subject to the conditions that:-

(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 sufficient reason the trial court will be at 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)

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