

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40285 of 2018

Arising Out of PS. Case No.-94 Year-2017 Thana- BARIYARPUR District- Munger

Shishupal Das, Son of Late Bahadur Das, resident of Village Ghorghat, P.S. Bariarpur, District- Munger.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anurag Saurav

For the Opposite Party/s : Mr. Smt. Renuka Ratnakar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 20-09-2018 Heard learned counsel for petitioner and learned counsel for the State.

This is an application for grant of regular bail in connection with Sessions Trial No. 71 of 2018 arising out of Bariyarpur P.S. Case No. 94 of 2017 registered for the offences punishable under Sections 25(a-B)A, 25(1-A), 25(1-AA), 25(1-AC) and 26(i) (ii)/35 of the Arms Act.

Allegation against petitioner is that after having secret information received from confidential sources the house of petitioner was surrounded by the police but petitioner somehow escaped from there and thereafter on search three country made pistol, three magazines, eight semi finished country made pistol, 8 semi finished barrel and one country made musket has been recovered from the house of the petitioner.



It has been submitted on behalf of the petitioner that petitioner is innocent and has been falsely implicated in this case. Nothing has been recovered from the house of the petitioner. It has been further submitted that during chase, Chowkidar Bihari Paswan identified the petitioner as Shishupal Das and apart from that no other witness either had stated a single word with regard to the presence of the petitioner at place of occurrence. Petitioner was not put on T.I.P. It has been further submitted that Petitioner has no criminal antecedent and he is in custody since 30.10.2017.

Considering the facts and circumstances of the case, let above named petitioner be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned District Judge, Munger in connection with Sessions Trial No. 71 of 2018 arising out of Bariyarpur P.S. Case No. 94 of 2017 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 co-operate in the trial and shall be



present on each and every date fixed by the court and his absence of two consecutive 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)

veena/manoj

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

