

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56904 of 2018

Arising Out of PS. Case No.-130 Year-2018 Thana- KAKO District- Jehanabad

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Brajesh Kumar Son of Awadh Prasad Resident of Village - Balaitha, P.S. -
Masaurhi, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 08-10-2018

Heard learned counsel for the parties.

Petitioner seeks bail in **Kako P.S. Case No. 130 of 2018** registered for the offence punishable under Sections 399 and 402 of the Indian Penal Code and Section 25(1-b)a, 26 and 35 of the Arms Act.

Allegation against the petitioner is of recovery of one country made pistol.

It has been submitted on behalf of the petitioner that he is innocent and has been implicated in this case on suspicion. Petitioner is a student of B.Tech. Similarly, situated co-accused persons have been granted bail by co-ordinate benches of this Court vide orders dated 20.09.2018 in Criminal Miscellaneous No. 55461 of 2018 and 28.09.2018 in Criminal Miscellaneous No. 57719 of 2018. Petitioner has got no criminal antecedent



and is in custody since 05.06.2018.

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 **Judicial Magistrate-1st Class, Jehanabad** in connection with **Kako P.S. Case No. 130 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 present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be sufficient 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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