

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63639 of 2018

Arising Out of PS. Case No.-162 Year-2018 Thana- BODHGAYA District- Gaya

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Gurucharan Chauhan @ Lambu Son of late Laxman Chauhan Resident of
Village-Gangati P.S. Guraru Distt.-Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh

For the Opposite Party/s : Mr. Sir Pawan Kumar Chaurasiya

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 26-10-2018 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner, who is in custody, seeks bail in connection
with Sessions Trial No. 73/18 (246/2018) arising out of Bodh
Gaya (Cherki) P.S. Case No. 162/2018 registered for the
offences punishable under Sections 399 and 402 of the Indian
Penal Code and under Section 25(1-B)a, 26 and 35 of Arms Act.

Allegation against petitioner is of recovery of one
pistol and two live cartridges from his possession.

It has been submitted on behalf of the petitioner that
he is innocent and has been falsely implicated in this case. It has
been further submitted that similarly placed co-accused, namely,
Vijay Sao and Pradeshi Paswan have been granted bail by a co-
ordinate Bench of this Court vide order dated 31.07.2018 passed
in Cr. Misc. No. 43845 of 2018 and order dated 03.10.2018



passed in Cr. Misc. No. 56428 of 2018 respectively. Petitioner is in custody since 10.03.2018.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge 2nd, Gaya, in connection with Sessions Trial No. 73/18 (246/2018) arising out of Bodh Gaya (Cherki) P.S. Case No. 162 of 2018 subject to the condition 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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