

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73024 of 2018

Arising Out of PS. Case No.-98 Year-2018 Thana- MINAPUR District- Muzaffarpur

Baidhnath Kumar @ Baidhnath Sahni S/o Asharfi Sahni resident of Village-
Koluha Paigambarpur, P.S. Ahiyapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K.
For the Opposite Party/s : Mr. Sri Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 13-12-2018

Heard learned counsel for the parties.

Petitioner seeks bail in Minapur P.S. Case No.98/18 registered for the offence punishable under Sections 414/34 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, two live cartridges and one mobile from the possession of the petitioner.

Petitioner is in custody since 10.03.2018 and he is accused in three more cases as disclosed in paragraph no.3 of the petition.

Considering the nature of offence, I am not inclined to enlarge the petitioner on bail. Hence, the prayer for bail of the petitioner is hereby rejected.



However, after completion of **1 year in judicial custody**, 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, Muzaffarpur in connection with Minapur P.S. Case No.98/2018-, 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 properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(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)

Sanjay/-

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