

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69830 of 2018

Arising Out of PS. Case No.-644 Year-2018 Thana- BHABHUA District- Bhabhua (Kaimur)

Bittu Tiwari S/o Shashi Bhushan Tiwari Resident of Village-Siladi, P.O.
Ruiya Darauli, P.S. Bhabhua, Distt.-Kaimur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Kaushik

For the Opposite Party/s : Mr. Sri Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 07-12-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, who is in custody, seeks bail in connection with Bhabhua P.S. Case No. 644 of 2018 registered for the offence punishable under Sections 25(1-B) A/26/35 of the Arms Act and Section 379 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. Alleged recovery was not made from the conscious possession of petitioner from the said house from where one country made gun and some cartridges and firearm were recovered is alleged to have been made belongs to brother in law (Sister's husband) of petitioner and petitioner had gone to his sister's house with few articles and gift prior to the occasion of Teej festival and



alleged recovered mobile phones belongs to petitioner and two co-accused persons.

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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur, in connection with Bhabhua P.S. Case No. 644 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 properly represented 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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