

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72728 of 2018

Arising Out of PS. Case No.-435 Year-2018 Thana- PHULWARISHARIF District- Patna

Suraj Kumar, Son of Birendra Kumar @ Biresndra Paswan, resident of
Mohalla- Chuhamal Nagar, P.S. Phulwarisharif, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramashish

For the Opposite Party/s : Mr. Sri Braj Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 13-12-2018

Heard learned counsel for the parties.

Petitioner seeks bail in **Phulwarisharif P.S. Case No. 435 of 2018** registered for the offence punishable under section 306 of the Indian Penal Code and 25(1-B), 26 and 27 of the Arms Act.

Informant who is an Associate Professor in AIIMS has stated that he was residing with his family in the colony and on said date his wife who is also a Doctor went into the room of his son and she found that he was lying in a pool of blood who had committed suicide by country made revolver. Allegation against the petitioner is that he provided some help to the accused in obtaining arms. After investigation police submitted chargesheet under Section 306/34 of the IPC and Section 25(1-B)a, 26 and 27 of the Arms Act.



It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. Petitioner has got no criminal antecedent and is in custody since 22.06.2018.

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 **Additional Chief Judicial Magistrate-XV, Patna**, in connection with **Phulwarisharif P.S. Case No. 435 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 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)

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