

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14030 of 2018

Arising Out of PS. Case No.-434 Year-2017 Thana- KOTWALI District- Munger

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Santosh Sharma S/o Lala Sharma @ Lal Sharma, R/o Purabsarai
Brahmasthan, P.S.- Purabsarai (O.P.), Kotwali, District- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Sinha

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 19-04-2018 Heard learned counsel for the petitioner and learned APP
for the State.

Petitioner apprehends his arrest in Kotwali (Purabsarai)
P.S. case no. 434/2017 instituted for the offence under
Section(s) 25(1-A), 25 (1-AA)/25(1A-C)/ 26(ii)(iii) of the Arms
Act.

It is alleged in the written report that police got
information that illegal arms are manufactured in the shop of
co-accused Ganesh Sharma. Police raided the shop and arrested
co-accused Ganesh Sharma who took the name of this
petitioner. There is no recovery of any incriminating material
from the possession of this petitioner. It is mentioned in para 3
of the bail petition that petitioner has no criminal antecedents.



In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Kotwali (Purabsarai) P.S. case no. 434/2017, he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Munger, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions:(1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if 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.

(Sanjay Priya, J)

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