

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48644 of 2018

Arising Out of PS.Case No. -43 Year- 2018 Thana -PHULWARIA District- BEGUSARAI

=====

1. Nitish Kumar, S/o Ramsajjan Singh, Resident of Village- Maharathpur,
P.S.- Mufassil (Singhaul), District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Vinod Gautam

For the Opposite Party/s : Mr. Sri Ramchandra Sahani

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 09-10-2018

The petitioner seeks regular bail in connection with Fulwaria P.S. Case No. 43 of 2018, registered for offences punishable under Sections 414 of the Indian Penal Code and Section 25(1-B)a/26 of the Arms Act.

Allegation against the petitioner is of recovery of one motorcycle, one country made pistol and six cartridges.

It has been submitted on behalf of the petitioner that he has falsely been made accused in this case. He has no criminal antecedent and has been in judicial custody since 28.03.2018 and although it is alleged that one motorcycle has also been recovered but there is nothing on record to show that the said motorcycle is stolen one.

Heard learned A.P.P. also.



Having heard both sides, considering the aforementioned facts and circumstances, the period of custody and also that the petitioner has no criminal antecedent, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000, (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate -1st Class, Begusarai, in connection with Fulwaria P.S. Case No. 43 of 2018, with following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

sunil/-

U		T	
---	--	---	--

