

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4949 of 2018

Arising Out of PS.Case No. -197 Year- 2017 Thana -KARAKAT District- SASARAM (ROHTAS)

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Birendra Pandey S/o Late Shiv Pujan Pandey, R/o Village- Natha Bigha,
P.S.- Karakat in the District of Rohtas.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Navin Sharma

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2. 02-02-2018 Heard learned counsel for the petitioner and
the learned A.P.P. for the State.

Petitioner, in the present case, is seeking
regular bail in connection with Karakat P.S. Case No.
197/2017 registered for the offence punishable under
Sections 414 of the Indian Penal Code and Section 25(1-
b)a/26/35 of the Arms Act.

Learned counsel for the petitioner submits that as
per F.I.R. two persons were allegedly sitting in the Bolero
where an illegal arm i.e. two barrel gun was found. Learned
counsel submits that the Bolero belongs to him but the
allegation that he was also sitting in the Bolero is false.

According to him, the Bolero was standing by
side of the road when the police reached there and seized



the vehicle with the alleged gun. This petitioner has however nothing to do with the said gun.

Learned counsel further submits that there is one case against the petitioner which was lodged by his niece because of some family dispute in which he has been granted bail by co-ordinate Bench of this Court.

Learned Additional Public Prosecutor for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case and materials on record, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 15,000/- (Rupees fifteen thousand only) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Vikramganj, Rohtas, in connection with Karkat P.S. Case No. 197/2017, subject to condition as laid down under Section 437(3) of the Code of Criminal Procedure and further condition that petitioner if found involved in similar kind of offence in future, the Investigating Officer is at liberty to take steps for cancellation of bail.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

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