

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62853 of 2017

Arising Out of PS.Case No. -138 Year- 2017 Thana -SONO District- JAMUI

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Ashok Das S/o Rajendra Das, R/o Village- Bharathpur, P.S.- Sono, District-
Jamui.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amrendra Kumar

For the Opposite Party/s : Sri Akshay Lal Pandit

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 12-01-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with Sono
Police Station Case No. 138 of 2017 registered for offence under
section 25(1-b)A, 26 of the Arms Act.

The above case has been registered on the written report
of S.H.O., Jamui police station. On getting information about arrival of
one Ashok Das who is a dreaded criminal of locality, the police party
visited at his house to arrest him but seeing the police, he started fleeing
away. On chase, he was apprehended. It is alleged that on disclosure
made by this petitioner, one country made fire arm and empty
cartridges kept in the polythin were recovered from the soil near a well.
The petitioner has denied alleged recovery from his conscious
possession. He is in custody since 02.07.2017. The seizure list on
record does not bear signature of any independent witness.



Considering the facts and circumstances of the case, the above named petitioner is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Jamui in connection with Sono Police Station Case No. 138 of 2017, subject to the 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.
- (iv) If the petitioner is found involved in similar type of offence in future, the prosecution will have liberty to move for cancellation of his bail.

(Sanjay Kumar, J)

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