

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65771 of 2018

Arising Out of PS.Case No. -328 Year- 2018 Thana -MADHAURAH District- SARAN

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1. Abhishek Singh @ Abhishek Raj Son of Om Prakash Singh Resident of Village-Semari Saloni,P.S. Ishuapur,Distt.-Saran,at present Resident of Village-Pakahan(Ambedkar Road),Police Station-Marhowrah,Distt.-Saran(Chapra),

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 20-11-2018 Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner seeks bail in Marhowrah P.S. Case No. 328 of 2018 registered for the offence punishable under Section 25 (1-b)A, 26, 35 of the Arms Act.

Allegation against the petitioner is of recovery of one country made loaded pistol from his possession.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. He was not arrested on the spot. Petitioner is a student of polytechnic. He has no concern with the alleged fire-arms. Petitioner is in custody since 13.07.2018.



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-VIII, Chapra, Saran in connection with Marhowrah P.S. Case No. 328 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-operative in the trial and shall be properly represented on each and every date fixed by the Court and shall remain personally present whenever directed by trial court and has absence on two consecutive dates the trial court shall be at liberty to cancel his bail bond.

(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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