

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75906 of 2018

Arising Out of PS. Case No.-504 Year-2018 Thana- SIWAN MUFFASIL District- Siwan

Lalu Prasad @ Rakesh @ Lalu Kumar son of Durga Prasad @ Durga Prasad
Chaurasia resident of Mahdeva Mission Police Station siwan(M) (Mahdeva
OP) District Siwan

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satyendra Rai, Advocate

For the Opposite Party/s : Mr. Aditya Narayan Singh 1, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 17-12-2018 Heard learned counsel for the petitioner as well as
learned counsel for the State.

The petitioner is an accused in a case registered for
offence under section 414 of the Indian Penal Code and under
sections 25(1-b)a, 26 and 35 of the Arms Act.

It is submitted on behalf of the petitioner that the
petitioner has been falsely been implicated in this case and the
recovered Apache motorcycle belongs to him as is apparent
from annexure 2, certificate of registration. Learned counsel for
the petitioner further submits that the recovery of fire arms from
petitioner's possession is a false allegation based on extraneous
consideration and that the recovery is also not in accordance
with law. As per paragraph 3 of the bail petition, petitioner is on
bail in other cases pending against him. Petitioner is in custody



since 5.9.2018.

Considering the aforesaid submissions and the facts and circumstances of the case, prayer for bail to the petitioner is allowed. Let the petitioner as mentioned above be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate Siwan in Siwan (M) (Mahdeva OP) Police Station Case No. 504 of 2018 on the following conditions:-

One of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he/she is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner and

The Petitioner will be well represented on each date and if he/she fails to do so on two consecutive dates, his/her bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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