

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4629 of 2019

Arising Out of PS. Case No.-723 Year-2018 Thana- JAHANABAD District- Jehanabad

Chhoti Kumar Chandra Bhushan Prasad Resident of Mohalla- Gandhi Nagar,
P.S.- Jehanabad, District – Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr.Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 05-02-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection
with Jehanabad P.S. Case No. 723 of 2018 registered for the
offence punishable under Sections 399/402 of the Indian Penal
Code and Section 25(1-b)a/26/35 of Arms Act.

Informant who is the Police Officer has alleged in his
written complaint that on secret information that some criminals
have assembled to commit some grave crime, he raided the
place and apprehended five culprits, however 2-3 other
managed to escape and from possession of apprehended accused
arms and ammunition were recovered from their possession.
From the possession of petitioner three live cartridges of .315
bore were recovered. Petitioner is also accused in one more case



and he is in custody since 13.09.2018.

Considering the nature of allegation against petitioner, I am not inclined to grant bail to the petitioner. Accordingly the prayer for bail is rejected at this stage.

However, after six months of custody the petitioner would be enlarged on bail by the court below itself on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad, in connection with Jehanabad P.S. Case No. 723 of 2018 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will 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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