

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13274 of 2019

Arising Out of PS. Case No.-72 Year-2018 Thana- RAJEPUR District- East Champaran

Sumir @ Sumir Sahni @ Sumit @ Kachhua Male 38 years son of Sakal Sahani, Resident of - Bhurkurwa, P.S.- Rajepur, District- East Champaran At Motihari,

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anshu Dhar Sharma

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 05-03-2019 Heard learned counsel for the parties.

The defect(s) as pointed out by the Stamp Reporter is ignored.

Petitioner seeks bail in **Rajepur P.S. Case No. 72 of 2018** registered for the offence punishable 25(1-B)a, 26/35 of the Arms Act.

Allegation against the petitioner is of recovery of one country made pistol and two live cartridges.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. Nothing has been recovered from the possession of the petitioner. Petitioner has got no criminal antecedent and is in custody since 01.06.2018. Chargesheet has already been submitted in this case.



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 **Sub Divisional Judicial Magistrate Sadar, Motihari, East Champaran**, in connection with **Rajepur P.S. Case No. 72 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-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the court below.

(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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