

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4597 of 2019

Arising Out of PS. Case No.-126 Year-2018 Thana- AMARPUR District- Banka

Jawahar Singh @ Jawahar Prasad Singh, son of late Ganesh Singh resident of village Kenduar PS Amarpur District Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Singh

For the Opposite Party/s : Mr.Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 29-01-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 25(1-A), AA/35 of the Arms Act registered in connection with Amarpur P.S. Case No. 126 of 2018.

3. It is submitted that the petitioner has been falsely implicated merely because he happens to be the father of Rohit Singh @ Fantush who had given a shop adjacent to his shop on rent, from which recovery of arms has been made. The petitioner has no concern with the shop of his son nor the shop given by his son on rent, much less with the tenants of the said shop or the recovery of arms and equipments for manufacturing the arms. Except suspicion there is no other objective material to connect the petitioner with the alleged occurrence. The petitioner claims clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned



CJM, Banka in connection with Amarpur P.S. Case No. 126 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

- i. That one of the bailors shall be a close relative of the petitioner.
- ii. That the petitioner shall not indulge in any similar offence till conclusion of the trial.
- iii. That the petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.
- iv. The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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