

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7952 of 2019

Arising Out of PS. Case No.-233 Year-2018 Thana- HARNAUT District- Nalanda

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GANESH RAM, aged about 40 years, (M) Late Deb Saran Ram Resident of
Village- Gosai Bigha, Police Station- Harnaut (Chero), District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh

For the Opposite Party/s : Mr.Arun Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 26-02-2019 Heard learned counsel for the parties.

Petitioner seeks bail in **Harnaut (Chero) P.S. Case**
No. 233 of 2018 registered for the offence punishable under
Sections 25(1-b)a and 26 of the Arms Act.

Allegation is of recovery of a gun from the house of
the petitioner.

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 his possession. He is in custody since
10.09.2018.

Considering the fact that petitioner is having criminal
antecedent and custody period of the petitioner, I am not
inclined to enlarge the petitioner on bail at this stage. Hence, the
prayer for bail of the petitioner is hereby rejected.



However, it is observed that the petitioner named above be released on bail **after completing six months of jail custody by the court below** upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Chief Judicial Magistrate, Nalanda at Bihar Sharif**, in connection with **Harnaut (Chero) P.S. Case No. 233 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 absence on two consecutive dates without sufficient reason, his 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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