

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8081 of 2019

Arising Out of PS. Case No.-606 Year-2018 Thana- BARACHATTI District- Gaya

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BINOD KUMAR @ BIRU DON S/o Parshuram Yadav R/o Village- Lahuari,
P.S-Barachatti, District Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sushant Praveer
For the Opposite Party/s : Mr.Nand Kumar

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 07-03-2019 Heard learned counsel for the parties.

Learned counsel for the petitioner prays for and is
allowed to make correction in the petition.

Petitioner seeks bail in **Barachatti P.S. Case No. 606
of 2018** registered for the offence punishable under Sections 414
of the Indian Penal Code and Section 25(1-B)A/26 of the Arms
Act.

Allegation is of recovery of one pistol and six live
cartridges from the possession of petitioner.



It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case on suspicion. Nothing has been recovered from the possession of the petitioner. Petitioner is in custody since 14.09.2018.

Considering the nature of allegation and the fact that petitioner is accused in case of similar nature earlier also, 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 petitioner named above be released on bail **after completing one year of Jail custody** upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **Barachatti P.S. Case No. 606 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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