

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.11309 of 2019

Arising Out of PS. Case No.-433 Year-2018 Thana- DINARA District- Rohtas

SURESH KUMHAR@ SURESH KUMAR S/o Late Sita Ram Kumhar,
Resident of Village- Khudra, P.S. Dinara, District- Rohtas (Bihar).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Gupta

For the Opposite Party/s : Mr.Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 25-02-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Dinara P.S. Case No. 433 of 2018 registered for
the offence punishable under Sections 25(1-b)a, 26 of Arms Act.

Allegation is recovery of one country made pistol and
four cartridges from the cowshed of petitioner.

It has been submitted on behalf of the petitioner that
he is innocent and has been falsely implicated in this case. It has
been further submitted that cowshed is situated outside from the
village and no body is residing there. Nothing has been
recovered from the possession of petitioner. Petitioner has no
criminal antecedent and he is in custody since 12.11.2018.



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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Bikramganj, Rohtas, in connection with Dinara P.S. Case No. 433 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 properly represented 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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