

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9968 of 2019

Arising Out of PS. Case No.-1212 Year-2018 Thana- BIHTA District- Patna

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SAURAV KUMAR aged about 21 years (M) S/o Late Prasant Kumar
resident of village-Barahiya, P.S-Barahiya, Distt.-Lakhisarai, at present
residing at Mahadeo Market, Yogipur Chawk, House No. 82K, P.S-Patrakar
Nagar, Distt.-Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amit Kumar Anand

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

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 19-02-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Bihta P.S. Case No. 1212 of
2018 registered for the offence punishable under Sections 25 (1-
B)a, 26 of the Arms Act.

Allegation against the petitioner is recovery of one
country made pistol loaded and nine cartridges from his
possession.

It has been submitted on behalf of the petitioner that
he is innocent and has falsely been implicated in this case.
Petitioner has no criminal antecedent and he is in custody since



26.10.2018.

Considering the facts and circumstances of the case and nature of allegation, 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 **after completion of Six months** in custody, 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 1st Additional Chief Judicial Magistrate, Danapur, Patna, in connection with Bihta P.S. Case No. 1212 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)

Sanjay/-

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