

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8401 of 2019

Arising Out of PS. Case No.-610 Year-2018 Thana- FATUA District- Patna

Rajesh Kumar, aged about 25 years, Gender, Male, S/o Late Lalbabu Rai @
Lal Babu, resident of village - Kaimashikoh, Patna City, Nagla P.S.-Chowk,
District, Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad

For the Opposite Party/s : Mr.Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 27-02-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Fatuha P.S. Case No.610/18
registered for the offence punishable under Sections 412 of the
Indian Penal Code and Sections 25(1-b)a/26/35 of Arms Act.

Allegation against the petitioner is recovery of one
country made loaded pistol 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 is in custody since 11.10.2018.

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 the petitioner named above be released, **after completion of six months in custody**, on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Patna City in connection with Fatuha P.S. Case No.610/18, 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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