

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9671 of 2019

Arising Out of PS. Case No.-84 Year-2018 Thana- KHIRI MORE District- Patna

GAUTAM KUMAR Son of Kaushal Singh Resident of Village - Ahiyapur,
P.S.- Arwal

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Patanjali Rishi
For the Opposite Party/s : Mr.Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 19-02-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Khiri More P.S. Case No. 84 of 2018 registered for the offence punishable under Sections 394, 411 of the Indian Penal Code, 1860 and Sections 25(1B)(a), 26 and 35 of Arms Act, 1959.

Allegation against petitioner and other co-accused is of recovery of one country made pistol from their possession.

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. It has been further submitted that similarly placed co-accused Kundan



Kumar has been granted bail by this Hon'ble Court vide order dated 13.02.2019 passed in Cr. Misc. No. 8469 of 2019. Petitioner has no criminal antecedent and he is in custody since 22.09.2018.

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 Additional Chief Judicial Magistrate III, Danapur, Patna, in connection with Khiri More P.S. Case No. 84 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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