

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10870 of 2019

Arising Out of PS. Case No.-42 Year-2018 Thana- SIWAN RAIL P.S. District- Saran

=====

SONU CHAUHAN @ KARTIK CHAUHAN Son of Chathu Lal Chauhan @
Chhthi Lal Chauhan Resident of Village - Dakshin Tola, P.S. - Siwan, District
- Siwan.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh
For the Opposite Party/s : Mr.Rajiv Nayan(App231)

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 10-04-2019 Prayer of the petitioner for grant of bail was earlier

rejected by this Court vide order dated 11.10.2018 passed in Cr.

Misc. no. 59472 of 2018.

Learned counsel for petitioner submits that petitioner
is in custody since 20.3.2018

A report was called for from the Court below which
has been received and placed at Flag-A. From perusal of the
report, it appears that charge has been framed in this case on
08.02.2019. The case is pending for evidence. Trial Court has
mentioned in the report that on 5.4.2019 PWs 1, 2 and 3 have
been examined.

Learned counsel submits that only examination-in-



chief of those witnesses have been recorded.

This Court finds that instant case has been registered for the offence under Sections 25(1-B)a, 26 and 35 of the Arms Act.

As per written report, there is no recovery of any firearm from possession of the petitioner. It has been submitted that separate case U/s 307 of the I.P.C. has been registered against petitioner for the same offence in which petitioner is on bail.

Keeping in view the fact that petitioner is in custody since 20.3.2018 and there is no likelihood of conclusion of trial within short span of time, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the A.C.J.M. (Railway) Sonapur (Saran), in connection with Siwan (Thawey) Rail P.S. case no. 42 of 2018, subject to the following conditions:-

(i) Both the bailors shall be the close relative of the petitioner.

(ii) The petitioner shall be present on each and every date fixed by the Court and absence on two consecutive dates without valid reason will result in cancellation of bail bond of



the petitioner.

(iii) The petitioner will not tamper with evidence or
intimidate the witnesses otherwise his bail bond will liable to
be cancelled.

(Sanjay Priya, J)

shyambihari/-

U		T	
---	--	---	--

