

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.12800 of 2019**

Arising Out of PS. Case No.-486 Year-2018 Thana- BARAUNI District- Begusarai

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SHYAM KISHORE SINGH @ BHOLI SINGH, aged about 35 years, (M)  
Son of Sri Rama Nand Singh Resident of Village- Bihat, P.S.- Barauni, Distt.-  
Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Suresh Kumar Ishwar  
For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

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**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**  
**ORAL ORDER**

2      14-03-2019                      Heard learned counsel for the parties.

Petitioner seeks bail in **Barauni (F.C.I.O.P.) P.S. Case No. 486 of 2018** registered for the offence punishable under Sections 399, 402 and 120 B of the Indian Penal Code and under Section 25 (1-B)a, 26 and 35 of the Arms Act.

Allegation is of recovery of one country made pistol and seven live cartridges from the possession of the petitioner.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case due to village politics. Nothing has been recovered from his possession. Petitioner has got no criminal antecedent and is in



custody since 15.10.2018.

Considering the recovery which has been made from the possession of petitioner, 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 on bail **after completing six months of jail custody by the court below** upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Chief Judicial Magistrate, Begusarai**, in connection with **Barauni (F.C.I.O.P.) P.S. Case No. 486 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)**

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