

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19818 of 2019**

Arising Out of PS. Case No.-244 Year-2016 Thana- KOTWALI District- Munger

GAUTAM KUMAR S/o- Rajeshwar Singh Resident of Village- Lai, P.S.-
Kajra, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parmanand Pd. Nr. Sahi

For the Opposite Party/s : Ms.Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 05-04-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 341, 323, 447, 504, 506/34 IPC and Section 25(1B)A, 26 (1)(2)/35 of the Arms Act registered in connection with Munger Kotwali P.S. Case No. 244 of 2016.

3. It is submitted that the petitioner has been falsely implicated and in any event the accusation under the Arms Act are not applicable in respect of the petitioner who is merely said to have been in the company of co-accused Sudhanshu Yadav from whose possession recovery of arms was made. The accusations under the penal Sections are bailable. The petitioner claims clean antecedents.

4. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned ACJM II, Munger, in connection with Munger Kotwali P.S. Case No. 244 of 2016, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:



- i. That one of the bailors shall be a close relative of the petitioner.
- ii. That the petitioner shall not indulge in any similar offence till conclusion of the trial.
- iii. That the petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.
- iv. The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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