

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24815 of 2019

Arising Out of PS. Case No.-23 Year-1996 Thana- GAUNAHA District- West Champaran

BIRA KAMKAR @ BIRA MAHATO @ BIRA KUMAR Son of Late
Kanhaiya Kamkar, Resident of Village- Megauli, P.S- Gaunaha, District- West
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 24-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the
offences under Sections 25(1-b)a, 26 and 35 of the Arms Act.

The prosecution case in short is that while the
informant was patrolling duty at night, the accused persons,
variously armed, with intention to commit dacoity, were
arrested by the police party.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 7.10.2018 and has got no
criminal antecedent. There is no allegation of tampering of
witnesses alleged against the petitioner. Charge-sheet has been
submitted in the present case. It is a case of misuse of bail. The



petitioner had left the State for his livelihood. In his absence, proper pairvi was not made by his pairvikar. Due to lack of knowledge and information, the petitioner could not appear before the Court below. The petitioner had no intention not to abide by the order of the Court. The petitioner undertakes to be present on each and every date during trial.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. VI, Bettiah, West Champaran in connection with Tr. No. 4209/2018 arising out of Gaunaha P.S. Case No. 23/1996.

(Sudhir Singh, J)

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