

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77446 of 2018

Arising Out of PS. Case No.-36 Year-2017 Thana- KHAIRA District- Jamui

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Jitendra Kumar Pandit @ Jitu Rawat S/o Raj Kumar Pandit, R/o Vill.- Kuna
(Kuwa) Bank @ Rakat Rohania, P.S.- Sono, District- Jamui.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shree Niwas Singh

For the Opposite Party/s : Mr.Pradeep Narain Kumar

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 31-01-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 25(1-b)a, 26, 35 of the Arms Act and Section 120 IPC registered in connection with Khaira P.S. Case No. 36/2017.

3. It is submitted that the petitioner has been falsely implicated and the recovery of country made 'katta' with two cartridges have been made from the possession of co-accused Shankar Yadav. The petitioner's name has surfaced on the extra judicial confessional statement of the said co-accused Shankar Yadav, except which there is no other material to connect the petitioner with the alleged occurrence. 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 CJM, Jamui, in connection with Khaira P.S. Case No. 36/2017, 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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