

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79597 of 2018

Arising Out of PS. Case No.-273 Year-2018 Thana- RANIYATALAB District- Patna

Manish Kumar Son of Umesh Singh resident of village kab, P.s. - Rani Talab
Distt.- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lovekush Kumar
For the Opposite Party/s : Mr.Sri Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 11-02-2019 Heard learned counsel for the parties.

Petitioner seeks bail in **Rani Talab P.S. Case No. 273 of 2018** registered for the offence punishable under Sections 25 (1-b) a, 26 and 35 of the Arms Act.

Allegation is of recovery of one country made pistol loaded with five cartridges from the possession of petitioner.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case due to highhandedness of police and his co-villager. Nothing has been recovered from his possession. He is in custody since 11.10.2018.

Considering the fact that petitioner has antecedent, 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 one year 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 **J.M. 1st Class, Danapur, Patna** in connection with **Rani Talab P.S. Case No. 273 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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