

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79565 of 2018

Arising Out of PS. Case No.-137 Year-2018 Thana- SIMRA District- West Champaran

Dilip Kumar Son of Harendra Gond Resident of Village- Chiutaha, Ward No. 13, P.S.- Semra, District- West Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kr Singh No. 1

For the Opposite Party/s : Mr.Sri Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 15-02-2019 Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Semra P.S. Case No. 137 of 2018 registered for the offence punishable under Section 25(1-B)a, 26 and 35 of the Arms Act.

Informant has alleged that while he was performing his duty of vehicle checking he signaled one motorcycle to stop and from the possession of person who was riding the motorcycle namely Chandan Kumar one pistol loaded with two live cartridges were recovered.

It has been submitted on behalf of the petitioner that nothing was recovered from his possession except one mobile which is alleged to be stolen. Petitioner was having no criminal



antecedent prior to occurrence and has been subsequently made accused on the basis of confession made by Chandan Kumar. Petitioner is in custody since 29.10.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Bagaha, West Champaran, in connection with Semra P.S. Case No. 137 of 2018 subject to the conditions that:-

(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 his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(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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