

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77711 of 2018

Arising Out of PS. Case No.-144 Year-2018 Thana- KHAJAUЛИ District- Madhubani

Durgesh Mandal Son of Upendra Mandal Resident of Village- Dayalpali, P.S-
Khajauli, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha

For the Opposite Party/s : Mr.Sri Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 02-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in **Khajauli P.S. Case No.144 of 2018** registered for the offence punishable under Sections 25(1-b)A/26/35 of the Arms Act.

Allegation against petitioner is of recovery of one unloaded country made Katta from the possession of the petitioner.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. Seizure list has not been prepared as per the provisions of Section 100 of Cr.P.C. He has got no criminal antecedent and is in custody since 17.08.2018.

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/- with two sureties of the like amount each to the satisfaction of learned **A.C.J.M. IIIrd, Madhubani** in connection with **Khajauli P.S. Case No. 144 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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