

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66767 of 2018

Arising Out of PS. Case No.-11 Year-2018 Thana- SAMHO District-
Begusarai

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Anil Singh, Son of Late Basuki Singh, Resident of Village- Purani Dih, P.S.-
Shambho, District- Begusarai.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Ram Sumiran Rai, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 03-01-2019 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 and 35 of the Arms Act
registered in connection with Shamho P.S. Case No. 11 of 2018.

3. It is submitted that the petitioner has been falsely
implicated in connection with alleged recovery of one country
made pistol from the bhusa ghar of the house belonging to the
petitioner. It is submitted that neither the petitioner nor his
family members was available in the house at the time of seizure.
The seizure list has been witnessed by none other than the police
personnel and not by any independent person.

4. Be that as it may, having regard to the entirety of
the facts and circumstances of the case, 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 Sub-Divisional Judicial Magistrate, Begusarai in connection with Shamho P.S. Case No. 11 of 2018, 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) The petitioner shall cooperate 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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