

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30546 of 2019**

Arising Out of PS. Case No.-97 Year-2018 Thana- MAKER District- Saran

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KALI NUT @ KALI NAT Son of late Bilat Nut Resident of Village -
Wajitpur Bhoraha, P.S.- Marhowrah, Dist.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh
For the Opposite Party/s : Mr.Aditya Narayan Singh.1

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 04-07-2019 Heard the learned counsel for the petitioner and the
learned APP for the State.

This is the second attempt of the petitioner regarding seeking regular bail in connection with Maker P.S. Case No. 97 of 2018, registered for the offence punishable under Sections 25(1-b) a/26 of the Arms Act and Section 414 of the Indian Penal Code.

The case of the prosecution is that upon the petitioner being apprehended by the police and a search being made, one country made pistol of .315 bore and a live cartridge were recovered from the possession of the petitioner. The petitioner is said to have disclosed before the police about the group of thieves, who were engaging in theft cases and he



had disclosed himself to be one of the gang members.

The petitioner is accused in three other cases, as such this Court found the petitioner disentitled to be granted the privilege of regular bail.

Now, the learned counsel for the petitioner submits that the learned Trial Court has already framed charges in the aforesaid case by an order dated 25.6.2019 for the offences punishable under Section 414 of the Indian Penal Code and Section 25(1-B)/A/26 of the Arms Act and the trial is likely to begin shortly. It is further submitted that since the charges have already been framed, the likelihood of the petitioner, of either fleeing away or tampering with the evidence, no longer exists.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-XII, Saran, Chapra in connection with Maker P.S. Case No. 97 of 2018.

It is needless to state that the petitioner is directed to be



present on each and every date so fixed before the concerned court and in case of two consecutive defaults, the present privilege of bail shall stand cancelled and the petitioner would be taken into custody forthwith.

The present petition stands disposed of on the aforesaid terms.

(Mohit Kumar Shah, J)

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