

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31774 of 2019

Arising Out of PS. Case No.-439 Year-2018 Thana- CHIRAIYA District- East Champaran

RAMADHAR SAH Son of Late Pachu Sah Resident of Village- Bheriyahi,
P.S.- Kopawa, District- Gaur (Nepal)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Mishra, Advocate.

For the Opposite Party/s : Mr. Shailendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 13-05-2019 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in **Chiraiya P.S. Case No. 439 of 2018**, instituted for the offence under Section(s) 398, 400/34 of the Indian Penal Code, Sections 25(1-B)A, 26 and 35 of Arms Act.

Counsel for the petitioner submits that petitioner is in custody since 8.12.2018 having clean antecedent. He is businessman. He came to India for purchasing goods which was not available in Nepal. The Police intercepted him in Indo Nepal Border. On search, one loaded country made pistol along with bag containing one dagger, one live cartridge, one Samsung Mobile and Rs.1,14,300/- cash has been recovered from his possession.

Keeping in view the clean antecedent of the



petitioner and period spent by him in custody, prayer of the petitioner for grant of bail is allowed. Let the petitioner above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of **learned Additional Chief Judicial Magistrate, Sikerhana at Dhaka, East Champaran**, in connection with **Chiraiya P.S. Case No. 439 of 2018**, subject to the condition that both the bailors will be the close relatives of the petitioner with further conditions which are as follows:

(i) Petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court (ii) In absence on two consecutive dates without any valid reason, the bail bonds of the petitioner will liable to be cancelled and (iii) if petitioner tampers with the evidence or the witnesses of the case, in that event, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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