

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38712 of 2019

Arising Out of PS. Case No.-758 Year-2018 Thana- SHEKHPURA District- Sheikhpura

MANOJ SAW Son of Vishun Saw @ Vishun Sah Resident of Village Jamalpur (Hasanganj), P.S. and District- Sheikhpura.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Devendra Prasad Singh
For the Opposite Party/s : Mr.Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 01-07-2019 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), 26 and 35 of the Arms Act registered in connection with Sheikhpura P.S. Case No. 758 of 2018.

3. It is submitted that the petitioner has been falsely implicated and the offences alleged under the Arms Act are not made out against the petitioners. The recovery of one loaded country made rifle with 315 cartridges has been made from the house of co-accused Dhuri Yadav and no recovery has been made from the conscious possession of the petitioner. Similarly situated co-accused Sonu Kumar @ Sonu Saw has been granted anticipatory bail by this Court in Cr. Misc. No. 19970 of 2019.

4. Be that as it may, 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 ADJ II, Sheikhpura in connection with Sheikhpura P.S. Case No. 758 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. That the petitioner shall co-operate 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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