

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77962 of 2018

Arising Out of PS. Case No.-244 Year-2018 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Gaurav Kumar son of Arun Singh Resident of village Mohanpur, P.S.
Begusarai, Distt. - Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amrendra Kumar
For the Opposite Party/s : Mr.Smt. Anita Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

4 11-02-2019 Heard learned counsel for the parties.

A supplementary affidavit has been filed by learned
counsel for petitioner, which is taken on record.

Petitioner seeks bail in **Begusarai Muffasil P.S. Case
No. 244 of 2018** registered for the offence punishable under
Sections 353 and 307 of the Indian Penal Code and Sections
25(1-b)a, 26 and 35 of the Arms Act.

Allegation against the petitioner is of recovery of one
country made pistol and one live cartridge.

It has been submitted on behalf of the petitioner that
he is innocent and has been falsely implicated in this case.
Nothing has been recovered from the possession of the
petitioner. Petitioner is in custody since 12.05.2018.

Considering the fact that petitioner is having criminal



antecedent, I am not inclined to enlarge the petitioner on bail at this stage. Hence, the prayer for bail of the petitioner is hereby rejected.

However, it is observed that the petitioner named above be released on bail **after completing one year (1 Year) of jail custody by the court below** upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Chief Judicial Magistrate, Begusarai**, in connection with **Begusarai Muffasil P.S. Case No. 244 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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