

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77833 of 2018

Arising Out of PS. Case No.-39 Year-2015 Thana- BHANGWANPUR HAT District- Siwan

Ravindra Sharma @ Buchhan Sharma son of Late Jagannath Sharma,
Resident of village- Reeth, P.S.- Ekama, Distt.- Saran At Chapra

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar

For the Opposite Party/s : Mr.Sri Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 28-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in **Bhagwanpur Hat P.S. Case No. 39 of 2015** registered for the offence punishable under Sections 25(1-b)A, 26 and 35 of the Arms Act.

Informant who is police officer in his written report has alleged that he received information that some miscreants have assembled near a tree to commit some grave crime and on receiving such information he reached at the spot where he found 10 miscreants and on seeing police personnel they tried to flee away, however, seven miscreants were arrested and from the possession of two apprehended accused, two country made pistols along with two live cartridges were recovered. The apprehended accused persons disclosed the name of petitioner and other co-accused who managed to flee away from the place



of occurrence.

It has been submitted on behalf of the petitioner that he was not apprehended at the spot and nothing was recovered from the possession of the petitioner and he has been implicated in this case only the basis of statement made by apprehended accused. Petitioner is in custody since 21.08.2017.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Additional Chief Judicial Magistrate-II, Siwan**, in connection with **Bhagwanpur Hat P.S. Case No. 39 of 2015**, 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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