

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62534 of 2019**

Arising Out of PS. Case No.-54 Year-2016 Thana- MAKER District- Saran
=====

BABY KUMARI Wife of Sanjay Kumar Singh Resident of Village- Kuraiyan
Ismaila, Ward No.- 13, P.S.- Dighwara, District- Saran at Chapra.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Dewendra Narayan Singh, Advocate.

For the Opposite Party: Mr. Ansar Ul Haque, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 16-10-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends her arrest for the offences alleged under Sections 25(1-b)a, 26 and 35 of the Arms Act registered in connection with Maker P.S. Case No. 54 of 2016.

3. It is submitted that the petitioner has been falsely implicated in connection with recovery of one loaded country made revolver in the back seat of Suzuki vehicle bearing Registration No. MH-12-MW-0559 and three sticks from Scorpio vehicle bearing Registration No. BR-04N-4671. It is submitted that the petitioner has not been named in the F.I.R. and her name has transpired merely because she happens to be the registered owner of the aforesaid Scorpio vehicle. In any event only three sticks have been recovered from the aforesaid Scorpio vehicle and the ingredients of the offences under the Arms Act are not attracted. The petitioner is a lady claiming clean antecedents.

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 Additional Chief Judicial Magistrate-VI, Saran at Chapra in connection with Maker P.S. Case No. 54 of 2016, 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 cooperate with the investigation, if not already concluded, and make herself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall be well represented in Court on each and every date during trial except as and when directed by the learned Court below to be physically present, and in the event of failure on two consecutive dates without sufficient reason, her bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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