

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78065 of 2018

Arising Out of PS. Case No.-198 Year-2018 Thana- BARACHATTI District- Gaya

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Anuj Kumar S/o Ram Chandra Yadav, R/o Vill.- Katni Tandh, P.S.-
Mohanpur, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nikhilesh Kumar
For the Opposite Party/s : Mr.Sri Madhuranand Jha

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 08-01-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Barachatti (Mohanpur) P.S. Case No. 198 of
2018 registered for the offences punishable under Sections
25(1-b)A, 26/35 of Arms Act.

Informant has alleged that while he was on duty of
vehicle checking the motorcycle was driven by co-accused was
intercepted and on search of person of co-accused one country
made pistol and two live cartridges were recovered from his
possession and he could not also produce the ownership of
motorcycle.

It has been submitted on behalf of the petitioner
that he is innocent and has committed no offence. He has been



falsely implicated in this case. Allegation against petitioner is that he was pillion rider. The name of petitioner has been disclosed by the apprehended co-accused. Petitioner is in custody since 07.07.2018.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M, Sherghati, Gaya, in connection with Barachatti (Mohanpur) P.S. Case No. 198 of 2018, subject to 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 Court and his absence on two consecutive dates without sufficient reasons, 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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