

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78192 of 2018

Arising Out of PS. Case No.-271 Year-2018 Thana- MINAPUR District- Muzaffarpur

Om Prakash Choutala, Son of Harendra Sahani, Resident of Village- Dharu Patti, P.S.- Aurai, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan, Adv.

For the Opposite Party/s : Mr.Smt. Suman Kumari Singh (APP)

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 Meenapur P.S. Case No. 271 of 2018 registered for the offences punishable under Sections 414, 34 of the Indian Penal Code and Section 25 (1-B)A, 26/35 of the Arms Act.

Allegation is recovery of one magazine and four live cartridges from the possession of the petitioner.

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. Similarly placed co-accused has been granted bail by co-ordinate bench of this court passed in Cr. Misc. No. 59427 of 2018 vide order dated 06.10.2018 as



contained in Annexure-3. Petitioner is in custody since 14.07.2018.

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 C.J.M., Muzaffarpur, in connection with Meenapur P.S. Case No. 271 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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