

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.971 of 2019

Arising Out of PS. Case No.-241 Year-2018 Thana- KOTWALI District- Patna

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Manoj Rai S/o Jairam @ Jairam Rai R/o vill-Patliputra, P.S-Digha, Distt.-
Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raj Bansh Dubey

For the Opposite Party/s : Mr.Sri Parmeshwar Mehta

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 13-03-2019 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 25(1-b)a and 26 of the Indian Penal Code.

Allegation against the petitioner is of recovery of one loaded 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 22.04.2018.



Considering the fact that petitioner is accused in similar nature of case, 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 petitioner be released on bail **after completing one year of custody in jail** upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with **Kotwali P.S. Case No. 241 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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