

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71646 of 2019

Arising Out of PS. Case No.-221 Year-2018 Thana- AURAI District- Muzaffarpur

Chandan Kumar Thakur, Son of Bipin Kumar Thakur @ Bipin Thakur
Resident of Village- Basua, P.S.- Aurai, District- Muzaffarpur.(Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tejendra Sinha

For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-11-2019 Heard learned counsel for the parties and perused the case diary.

Petitioner apprehends his arrest in a case registered for the offence punishable under sections 25(1-B)A/26/35 of the Arms Act.

As per the prosecution case, one double barrel gun and 27 live cartridges were recovered from the house of co-accused Bilash Manjhi. It is further alleged that co-accused Bilash Manjhi has stated that the aforesaid gun belongs to this petitioner.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case. There is nothing recovered from the conscious possession of the petitioner and save and except the confessional statement of the co-accused there is nothing against the petitioner.



Learned counsel for the State opposes the prayer for bail.

In the aforesaid facts and circumstances of the case, let the above named petitioner be released on bail in the event of his arrest or surrender before the Court below within a period of six weeks from the date of receipt of the order, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.- XIII, Muzaffarpur, in Aurai Police Station Case No. 221 of 2018, on the following conditions:-

(1) 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.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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