

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72945 of 2019

Arising Out of PS. Case No.-97 Year-2019 Thana- BIHRA District- Saharsa

RABINDRA KUMAR @ SHITAL @ SHITAL MAHTO Son of Shivan
Mahto Resident of Village - Patori Ward No.- 3, P.S.- Bihra, District -
Saharsa.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Arun Kumar Sinha

For the Opposite Party/s : Mr.Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 04-12-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner in the present case is seeking regular
bail in connection with Bihra P.S. Case No. 97/2019 registered
under Sections 25(1-b)a, 26 of the Arms Act.

Learned counsel for the petitioner submits that
petitioner has been falsely implicated in this case as there is no
recovery of illegal fire arms from conscious possession of the
petitioner and he is in custody since 18.06.2019 having no
criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for
bail.

Considering the facts and circumstances of the case
wherein the allegation against the petitioner is that he had
thrown the arms on seeing the police party and the police



recovered a pistol allegedly thrown by this petitioner but the petitioner has no criminal antecedent and has remained in custody since 18.06.2019, the investigation being complete, let the above-named petitioner be released on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate - 1st Class, Saharsa, in connection with Bihra P.S. Case No. 97/2019, subject to the condition as laid down under Section 437(3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police Officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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