

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79638 of 2018

Arising Out of PS. Case No.-59 Year-2018 Thana- AAYAR District- Bhojpur

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Sujit Giri Son of Late Raj Nath Giri @ Natha Giri Resident of Village -
Asdhan Mathiyan, P.S.- Ayar, District – Bhojpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar, dvocate
For the Opposite Party/s : Mr.Sri Harendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 20-02-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Ayar P.S. Case No. 59 of 2018 registered for the
offence punishable under Sections 25(1-b)a /26 of the Arms Act.

Allegation is recovery of one loaded country made
pistol from his left side pocket and magazine with 7 live
cartridges from his right side of pocket and four live cartridges
were also recovered from the possession of petitioner.

It has been submitted on behalf of the petitioner that
he is innocent and has been falsely implicated in this case due to
previous enmity and high handedness of police. Petitioner is
informant in case in which his father was killed and trial is



continuing and just to pressurize him, he has been implicated in Jagdishpur P.S. Case No. 311 of 2018 on 31.08.2018 on basis of confessional statement and has been framed in this case by planting arms. Petitioner is in custody since 01.09.2018 and is accused in one case as detail in paragraph No. 3 of petition.

Considering the aforesaid facts 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 Additional Chief Judicial Magistrate-VII, Bhojpur at Ara, in connection with Ayar P.S. Case No. 59 of 2018 subject to the conditions that:-

(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 his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(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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