

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3811 of 2020

Arising Out of PS. Case No.-722 Year-2019 Thana- MASAUDHI District- Patna

CHHOTU KUMAR, S/o Late Chandradeo Singh @ Chandradeo Prasad R/o
Mohalla- Block Road, P.S.- Masaurhi, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kumar Mishra

For the Opposite Party/s : Mr.Anand Mohan Prasad Mehta

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 21-01-2020

Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the
offence punishable under Sections 399/402 of the Indian Penal
Code and Section 25(1-b)a26/36 of the Arms Act.

Allegation is recovery of one country made loaded
pistol and two live cartridges from possession of the petitioner.

It has been submitted on behalf of the petitioner that
he is innocent and has falsely been implicated in this case.
Petitioner has no criminal antecedent and he is in custody since
09.10.2019.

Considering the facts and circumstances of the case as
well as recovery of arms and ammunition, I am not inclined to
grant bail to the petitioner at this stage. Hence, the prayer for
bail of the petitioner is hereby rejected.



However, **after competing six months in judicial custody**, the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Masaurhi P.S. Case No. 722 of 2019 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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