

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73001 of 2019

Arising Out of PS. Case No.-203 Year-2019 Thana- CHANPATIA District- West Champaran

SANOJ MAHATO Son of Daroga Mahto Resident of Village - Lala Tola
Grabhuwa, P.S.- Chanpatiya (Sirisiya O.P.), Dist.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra

For the Opposite Party/s : Mr.Narendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 13-01-2020 Heard learned counsel for the parties.

Petitioner who is in custody seeks bail in a case registered for the offence punishable under Section 414 of the Indian Penal Code and 25(1-b)a and 26 of the Arms Act.

Informant who is police officer has alleged in his written complaint that while he was on patrolling duty one person coming from motorcycle was asked to stop, however, he tried to flee away but fell down and was apprehended. The apprehended person disclosed his name as Sanoj Mahto (petitioner) and upon his search one loaded country made pistol with one live cartridge was recovered from his possession. He was further asked about the ownership papers of the motorcycle which he could not produce as such he was also booked under Section 414 of IPC.



It has been submitted on behalf of the petitioner that that the motorcycle was not stolen one and it belonged to one of the family members. However, since petitioner has criminal antecedent as mentioned in para 3 of the petition, I am not inclined to enlarge him on bail.

Hence, the prayer for bail of the petitioner is hereby rejected.

However, it is observed that petitioner named above be released on bail **after framing of charge, by the court below** 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 **Sirisiya O.P. P.S. Case No. 203 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/her absence on two consecutive dates without sufficient reason, his/her 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)

ranjan/-

U			
---	--	--	--

