

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13939 of 2021**

Arising Out of PS. Case No.-32 Year-2020 Thana- CHAKAI District- Jamui

ILLIYAS HEMBRAM @ ALLYAS HEMBRAM Son of Late Shukar
Hembram Resident of Village - Ghutia, P.S. - Chakai, District - Jamui.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Narsingh Tanti

For the Opposite Party/s : Mr.Tarun Pd. Mandal, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 01-07-2021 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard both parties.

The petitioner seeks bail in Chakai P.S. Case No. 32
of 2020, registered for the offence punishable under Section
121(A) of the Indian Penal Code and sections 25(1-AA),
25(1-B)A and 26 of the Arms Act.

As per the prosecution case, on the disclosure of co-
accused Sidhu Koda raid was conducted in the house of
petitioner and upon search, one rifle and five live cartridges
have been recovered.

It is submitted on behalf of the petitioner that nothing
has been recovered from conscious possession of this petitioner.



Mandatory provision of search and seizure has not been followed. No independent witness became ready to sign over seizure list. Petitioner is in custody since 22.02.2020.

Considering the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate 3rd, Jamui in connection with Chakai P.S. Case No. 32 of 2020, subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) 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.

(Prabhat Kumar Singh, J)

vinita/-

U		T	
---	--	---	--

