

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24776 of 2021**

Arising Out of PS. Case No.-105 Year-2020 Thana- LALGANJ District- Vaishali

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GAUTAM KUMAR SON OF SHRI RAMNATH RAY R/O VILLAGE-
SARARIYA, P.S.- LALGANJ, DISTRICT- VAISHALI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arun Kumar

For the Opposite Party/s : Mr.A.P.P.

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

2 20-07-2021 This matter is taken up for consideration through Video Conferencing.

Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of bail in a case registered for the offence punishable under sections 25(I-B)a/ 26/35 of Arms Act.

As per prosecution case, arms and ammunitions have been recovered from the house of co-accused and so far as petitioner is concerned, he has fled away after seeing the police.

It is submitted on behalf of petitioner that no incriminating article has been recovered from the possession of petitioner. Petitioner is in custody since 14.12.2020. Similarly situated co-accused persons have been granted bail by a coordinate bench of this court vide Annexure 2.

Learned counsel for the State opposes the prayer for



bail.

Considering the fact that nothing has been recovered from the possession of the petitioner and similarly situated co-accused have been granted bail, this bail application is allowed. Let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate XIV, Vaishali at Hajipur in Lalganj P.S. Case no. 105/2020 on the following conditions.

(1) 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 on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

s.hassan/-

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