

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 36338 of 2020**

Arising Out of PS. Case No.-122 Year-2020 Thana- KARPI District- Jehanabad

UMESH SAO S/o Munrik Sao R/o- Vill.- Murari, P.O. and P.S.- Karpi,
District- Arwal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : M/s Sushmita Singh, Shashi Shekhar Tiwary, Atul
Kumar Mehta, Advocates

For the Opposite Party/s : Mr Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 30-01-2021 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in Karpi Police Station (for
brevity, *PS*) Case No 122 of 2020 instituted for the offence
punishable under Sections 25 (1-b), 26, 27 of Arms Act.

On information regarding some quarrel, the police
have arrived at the place from where the police has allegedly
arrested the petitioner with a country made pistol and a live
cartridge.

Petitioner's counsel submits that it is a case of false
implication. There is no allegation of any firearm injury being
sustained by anyone. The petitioner bears clean past and the
implication is on extraneous considerations. He is in custody
since 01.07.2020.



Learned APP has opposed the prayer for bail.

Considering the rival submissions, prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate IV in Karpi PS Case No 122 of 2020 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

M.E.H./-

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