

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40828 of 2020

Arising Out of PS. Case No.-144 Year-2020 Thana- GUTHANI District- Siwan

RAMESH RAM @ RAMESH CHAMAR aged about 55 years Son of Late
Ramdeo Ram @ Ramdeo Chamar Resident of Village- Tenua, P.S.- Guthani,
District- Siwan.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary, Advocate
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 26-02-2021 Heard learned counsel for the petitioner and the State.

The petitioner seeks regular bail in a case registered
for the offence punishable under sections 25(1-b) a, 26 and 35
of the Arms Act.

As per the prosecution case, one single barrel gun
marked as 'Air Gun Sisco Toy', two live cartridges of 12 bore
from the lower pant and four empty cartridges from beneath the
bed were recovered from the possession of the petitioner.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. Charge sheet has already been submitted. No incriminating
material has been recovered from the conscious possession of
the petitioner and the petitioner is merely a labourer. Petitioner



is in custody since 27.7.2020.

In the facts of the case, prayer for bail of the petitioner is allowed. Let the petitioner, mentioned above, 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 Judicial Magistrate 1st class, Siwan in Trail No. 3890 of 2020/Guthani Police Station Case No. 144 of 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 cancelled 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)

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