

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22300 of 2022

Arising Out of PS. Case No.-226 Year-2014 Thana- SHERGHATI District- Gaya

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Lalu Ganju Son of Late Bifan Ganju @ Late Vifan Singh Resident of Village -
kashiya, Tola- Dandai, , P.S. - Bashisthnagar Jori, District - Chatra
(Jharkhand).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Dr. Mrityunjaya Kr. Gautam, APP.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 26-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Sherghati (Dobhi) P.S. Case No. 226 of 2014 lodged under
Section 411 of the Indian Penal Code read with Section 25(1-b)a
and 26/35 of Arms Act but later on Section 414 of Indian Penal
Code has been added.

The prosecution case is that, the informant alongwith
police personnel were on patrolling duty and in course of their
duty they reached to Kochar Petrol Pump for filling petrol in
vehicle at about 12.30 a.m., they saw that four persons on two
motorcycles without registration number came at the petrol
pump for filling the petrol, there were no registration number of

both vehicles. When police party started inquiry then three of them fled away and one of them get apprehended. The apprehended person was Parmeshwar Ganju and not the petitioner. From the possession of the apprehended person documents of motorcycle, one country made pistol, two live cartridges and two Nokia mobile sets is stated to have been recovered.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. Petitioner was not named in the F.I.R., his name was figured in the case by the confessional statement of co-accused. Learned counsel for the petitioner submits that nothing was recovered from the possession of petitioner. He also submits that no offence under Arms Act is made out. He further submits that neither anything was recovered nor TIP has taken place. He submits that petitioner is in custody since 29.01.2021 and charge sheet has already been filed in this case.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.20,000/- (Rupees

Twenty thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. Sherghati (Gaya) in connection with Sherghati (Dobhi) P.S. Case No. 226 of 2014, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

The petitioner is directed to appear on each and every date before the Trial Court, in case of non-appearance for two consecutive dates, shall resulted into cancellation of his bail bond. If he shall involve in such type of activities again, the prosecution shall be at liberty to move for cancellation of his bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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