

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5705 of 2015

Arising Out of PS.Case No. -206 Year- 2014 Thana -ITARHI District- BUXAR

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Akhilesh Ojha, son of Late Radha Krishna Ojha, Resident of Village - Mahila, P.S. - Itarhi, District - Buxar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha, Adv.

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

2 11-02-2015 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the offence punishable under Sections 25(1-B)a/26/27 of Arms Act.

Allegation is that one country made pistol has been recovered from the possession of the petitioner.

It is submitted that the informant has maliciously prosecuted the petitioner at the instigation of co-villager. Even seizure-list witness Bhagirath has filed a petition before the learned Chief Judicial Magistrate, Buxar that informant forced him and Pramod Kumar Rai, another seizure-list witness to sign on a plain paper which was later on made a seizure-list. Bhagirath Rai has also lodged a complaint case against the informant Shrikant

Mishra. The petitioner has no criminal antecedent.

Considering the facts and circumstances, the above named petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar/court concerned in Itarhi P. S. Case No. 206 of 2014 with following conditions:-

1. The petitioner will not indulge himself in similar or any other offence.
2. One of the bailors must be the close relative of the petitioner.
3. The petitioner will be well represented in the Court on each and every date and in case of absence for two consecutive dates or in case of violation of terms of bail, his bail bond would be liable to be cancelled by the learned Court concerned.

(Amaresh Kumar Lal, J)

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