

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14152 of 2015

Arising Out of PS.Case No. -494 Year- 2014 Thana -SHEKHPURA District- SEKHPURA

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Karu Yadav, S/o Tanik Yadav, Resident of Village Kariho, Police Station
Shekhpura, District Shekhpura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghwendra Kumar

For the Opposite Party/s : Mr. Md.Ataur Rahman, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 28-05-2015

Heard.

The petitioner seeks bail in a criminal prosecution registered under Sections 25(1-B)(a)/26(2)/35 of the Arms Act.

Though, the petitioner is named in the FIR vide Annexure-1 as an accused and there is allegation of recovery of one country made pistol and one live cartridge from his possession, but taking into consideration the fact that he is in judicial custody since 20.12.2014 and he is said to be the first offender, his prayer for bail is allowed.

The petitioner above named is directed to be released on bail on furnishing bail bond of Rs.25,000/- with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Shekhpura in connection with Shekhpura P.S.Case No.494 of 2014, subject to the conditions that:

- (a) One of the bailors must be government servant or close family member of the petitioner, who will file an affidavit in the court below showing his/her relationship with the petitioner,

- (b) if the petitioner is found involved in same and similar nature of cases in future, then in that case the informant/prosecution shall be at liberty to file a petition for cancellation of bail of the petitioner, and if such a petition is filed, the court below would be obliged to dispose of the same in accordance with law after giving opportunity of hearing to all concerned;
- (c) the petitioner shall make regular pairvi in the court below in the present case either by appearing himself in person or through representation by his lawyer on each and every date, and if on two consecutive dates petitioner fails to make pairvi, then the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Prasad Verma, J)

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