

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12681 of 2015

Arising Out of PS.Case No. -11 Year- 2015 Thana -KADWA District- KATIHAR

Ekramul Haque, Son of Siddique Ali, Resident of Village - Dimaipur,
Police Station - Chanchal, District - Maldah (West Bengal).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. Ashok Kr.Singh, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 27-05-2015

Heard the parties.

The petitioner seeks bail in a criminal prosecution registered under Sections 25(1-B) (a)/26/35 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 loaded country made pistol and one live cartridge, but taking into consideration the period of incarceration, who is said to be in judicial custody since 24.01.2015, 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, Katihar in connection with Kadwa (Balua Belon) P.S.Case No.11 of 2015, subject to the conditions that:

(a) One of the bailors shall be government servant

(b) other bailor shall be either close family member or close relation of the petitioner, who will file an affidavit in the court below showing his/her relationship with the petitioner,

- (c) 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;
- (d) 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.

Arvind/-

(Birendra Prasad Verma, J)

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