

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8694 of 2015

Arising Out of PS.Case No. -332 Year- 2014 Thana -GANDHIMAIDAN District- PATNA

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1. Pramod Kumar Paswan, son of Late Sitaram Paswan, resident of Village - Khaje Chand, P.S. - Gorauaull, District – Vaishali, at present resident of Mohalla - Bankipur Girls High School, High School Campus, Near Golghar, Police Station - Gandhi Maidan, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Somawati Upadhyay, Advocate

For the Opposite Party/s : Mr. Kalyan Shankar, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2/ 03-03-2015

Heard learned counsel for the Petitioner and the State.

The Petitioner seeks bail in a case instituted for the offence under Section(s) 25(1-B)A, 26, 35 of the Arms Act.

Considering that for recovery of arms the Petitioner has remained in custody since 13.09.2014 and has fair antecedents as also his elder brother, Binod Kumar, undertakes his responsibility, let the Petitioner, above named, be released on bail on furnishing bail bond of ₹5,000/-(Five Thousand) with two sureties of the like amount each or any other surety to be fixed by the Court below to the satisfaction of Sri Prabal Dutta, Judicial Magistrate, 1st class, Patna, in connection with Gandhi Maidan P.S. Case No.332 of 2014, subject to the conditions:

- (i) That one of the bailors will be a close relative of the petitioner, who will give an affidavit giving

genealogy as to how he is related with the petitioner and another bailor shall be brother of the Petitioner. The bailors will undertake to furnish information to the court about any change in the address of the petitioner,

- (ii) That the affidavit shall clearly state that the petitioner is not an accused in any other case and, if he is, he shall not be released on bail,
- (iii) That the bailors shall also state on affidavit that they will inform the court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse,
- (iv) That the petitioner will give an undertaking that he will receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse, and
- (v) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Anjana Prakash, J)

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