

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.14146 of 2015

Arising Out of PS.Case No. -681 Year- 2014 Thana -NAWADA District- NAWADA

Rakesh Kumar son of Sri Basdeo Yadav @ Vasudev Yadav, resident of
village- Samraitha, P.S. Roh, in the District of Nawada

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar

For the Opposite Party/s : Mr. Nand Kishore Pd., APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 27-05-2015

Heard the parties.

The petitioner seeks bail in a criminal prosecution registered under Sections 399, 402 and 120 B of the Indian Penal Code as also under Section 25(1-B)/26/35 of the Arms Act.

Though the petitioner is named in the F.I.R., 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 07.11.2014, 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, Nalanda in connection with Nawada Town P.S. Case No. 681 of 2014, subject to the conditions that:

- (A) One of the bailors shall be a government servant,
- (B) Other bailor shall be the family member or close relation of the petitioner,
- (C) if the petitioner is found involved in same and similar nature of cases in future, then in that case



(D)

the informant/ prosecution shall be at liberty to file a petition for cancellation of the 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 and 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 dates, and if on two consecutive dates petitioner fails to make pairvi, then the court below shall be at liberty to cancel the bail bonds of the petitioner.

(Birendra Prasad Verma, J)

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