

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14726 of 2015

Arising Out of PS.Case No. -212 Year- 2014 Thana -KANKARBAGH District- PATNA

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Karu Kumar aged about 23 years son of Mahendra Sahni, resident of village
RMS Colony, Road No.1, P.S.Kankarbagha, District Patna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satrudhan Kumar, Advocate

For the Opposite Party/s : Dr. Ravindra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 28-05-2015

Heard the parties.

The petitioner seeks bail in a criminal prosecution registered under Sections 399, 402 and 401 of the Indian Penal Code as also under Section 25 (1-B) (a)/26/35 of the Arms Act in which subsequently, Section 120B of the Indian Penal Code was also added.

Though the petitioner is named in the first information report vide Annexure-1 as an accused and there is allegation of recovery of one loaded country made pistol from his possession but taking into consideration the fact that he is in custody since 04.06.2014 and he is said to be the first offender, his prayer for bail is allowed. The above named petitioner is ordered to be released on bail on furnishing bail bond of Rs.25,000/-(Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Patna in connection with Kankarbagh P.S.Case No. 212 of 2014, subject to the following conditions:

(A) one of the bailors must be a government
servant or a close family member or a close

relation 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, and

(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 dates, 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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