

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26863 of 2015

Arising Out of PS.Case No. -27 Year- 2014 Thana -IMAMGANJ District- GAYA

Kapil Paswan son of Pun Paswan, resident of village-Mainka, P.S. Imamganj, Dist- Gaya

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. S. Jamil Akhtar

For the Opposite Party/s : Mr. Upendra Kumar(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 28-07-2015

Heard learned counsels for the petitioner and

the State.

The petitioner is languishing in custody since 12.10.2014 in a case registered for the offences punishable under Sections 147, 148, 307, 120B of the Indian Penal Code, 3/4/5 of Explosive Substances Act, 13/16/18/20 of Unlawful Activity (Prevention) Act and 17 of Criminal Law Amendment Act.

The prosecution case is that the informant Md. Mofid Alam, S.I., Imamganj police station on the direction of senior police officer while conducting raid received secret information that 25 FIR named accused persons and 100-150 unknown are planning to commit serious offence against the government. The raiding party seized huge quantity of arms and ammunitions.

It is submitted by learned counsel for the petitioner that the recovery has been made from a water channel and only on suspicion the petitioner has been roped in the present case. Moreover, the investigation has already concluded.

Considering the aforesaid facts, let the above named petitioner, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Sherghati, Gaya in connection with Imamganj P.S. Case No. 27 of 2014.

Since the petitioner is accused in two other cases, the learned court below will be at liberty to cancel the bail bonds of the petitioner in two eventualities i.e. if he defaults for two consecutive occasions or substantially gets involved in some serious nature of offence.

(Dinesh Kumar Singh, J)

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