

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16762 of 2015

Arising Out of PS.Case No. -134 Year- 2014 Thana -ISHAKCHAK District- BHAGALPUR

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Shubham Kumar Jha S/o Arjun Bhattachrya,	Resident of Village-
Dumarma, P.S-Amarpur, District- Banka.	 Petitioner/s
Versus	

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar

For the Opposite Party/s : Mr. Ashraf Ansari(App)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 15-06-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking bail in connection with Ishakchak P.S. Case No. 134 of 2014 registered for offences under sections 399, 402, 467, 468, 471, 414 of the Indian Penal Code and Sections 25 (1-B)A, 26,29,35 of the Arms Act.

As per the first information report, on information, the Police had gone and apprehended the accused persons including the petitioner. During search, one 7.65 bore's country made pistol, one .315 bore's country made loaded pistol and one .315 bore's live cartridge were recovered from the possession of the petitioner.

The counsel for the petitioner submits that the petitioner is in custody since 5th December 2014 and he has been

made an accused in three earlier cases after he was apprehended by the Police in the aforesaid case, so much so, other accused person, namely, Abhishek Kumar Singh @ Monu Singh @ Chhotu Singh has already been granted bail by this Court in Cr. Misc. No. 9334 of 2015.

Looking to the facts and circumstances of the case, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Ishakchak P.S. Case No. 134 of 2014, subject to the condition that (i) one of the bailors shall be a close relative of the petitioner (ii) if the petitioner is found involved in future in similar type of case, the prosecution will be at liberty to make prayer for cancellation of his bail and the court below will pass necessary order, including cancellation of bail and (iii) the petitioner would cooperate the proceeding of the court below. In event of failure to appear on two consecutive dates, the court below will be at liberty to pass the order, including cancellation of bail bonds.

(Shivaji Pandey, J)

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