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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16990 of 2015

Arising Out of PS.Case No. -75 Year- 2015 Thana -BUXAR District- BUXAR

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1. Arbind Kumar son of Bharat Kumar

2. Jitendra Ram son of Late Sundar Ram Both resident of Khalasi Muhalla, P.S.- Buxar(T), District- Buxar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh

For the Opposite Party/s : Mr. Ajay Kumar 1(App)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL ORDER

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

In this case the petitioners are seeking bail in Buxar Nagar P.S. Case No. 75 of 2015 registered under sections 25(1-B)A, 26(2) and 35 of the Arms Act.

According to the first information report, on secret information Police reached to Khalasi Mohalla near the house of Motilal Ram where some persons were selling or purchasing arms. On seeing the police party the people tried to flee away from there but two persons were apprehended by the

police. On search of the house of Motilal Ram one country made gun was recovered.

It is submitted by the learned counsel for the petitioners that Motilal Ram from whose possession recovery has been made has been enlarged on bail vide Cri. Misc. No. 14187 of 2015. It is further submitted that nothing has been recovered from the possession of the petitioners.

Considering the aforesaid facts, petitioners Arbind Kumar and Jitendra Ram are directed to be released on bail on their furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in Buxar Nagar P.S. Case No. 75 of 2015, 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 petitioners. The bailor will undertake to furnish information to the court about any change in the address of the petitioners. (ii) That the affidavit shall clearly state that the petitioners are not accused in any other case and if they are , will not be released on bail. (iii) The bailor shall also state on affidavit that he will inform the court concerned if the petitioners are implicated in any other case of similar nature after their 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.

(Shivaji Pandey, J)

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