

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48993 of 2015

Arising Out of PS.Case No. -25 Year- 2012 Thana -KASMA District- AURANGABAD

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1. Kail Prajapati @ Akash Jee s/o Indradeo Prajapati R/o Village- Ajan p.s
Goh, District Aurangabad(Bihar)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lal Bahadur Singh

For the Opposite Party/s : Mr. Ashok Kr.Singh(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 07-12-2015 Heard learned counsel for the petitioner and learned

counsel representing the State.

The petitioner seeks bail in connection with Kasma
P.S. Case No. 25 of 2012 registered for the offences punishable
under Sections 25(1-A), 26/35 of the Arms Act and Section 17 of
C.L.A. Act.

It is submitted that the name of the petitioner has
been taken by co-accused and accordingly he is named in the FIR,
nothing has been recovered from possession of the petitioner, he is
suffering in custody since 16.05.2015, chargesheet has already
been submitted and there is no chance of tampering with
prosecution evidence.

Learned APP fairly submits that name of the

petitioner has been taken by co-accused when he was arrested but the petitioner has criminal antecedent.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and there is no chance of tampering with prosecution evidence and in near future trial is not likely to be concluded, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge IV, Aurangabad in S. Tr. No. 342A of 2012 / 22 of 2015 arising out of Kasma P.S. Case No. 25 of 2012, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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