

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48867 of 2014

Arising Out of PS.Case No. -363 Year- 2013 Thana -BUXAR District- BUXAR

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Sumit Gupta Son of Raj Kumar Gupta, resident of village - Bhilari Road
Maheshpur, P.S. Manduwadih, District - Varanasi (U.P.).

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jagdish Prasad

For the Opposite Party/s : Mr. Ram Sewak Choudhary (App)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 20-02-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking bail in
connection with S.Tr. No. 461 of 2013 arising from Buxar (T) P.S.
Case No. 363 of 2013 registered for offences under sections 399,
402, 120(B), Section 25(1-b) a, 26, 35 of the Arms Act.

Allegation has been made, the petitioner and other
accused persons were preparing plan for committing dacoity and
the Police apprehended them and from the possession of the
petitioner deadly weapons were recovered.

The counsel for the petitioner submits that the
petitioner is in custody since 11th September 2013.

Looking to the period of custody of the petitioner, 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 Sri R.S. Tiwary, 1st A.D.J., Buxar in connection with S.Tr. No. 461 of 2013 arising from Buxar (T) P.S. Case No. 363 of 2013, 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)

Mahesh/-

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