

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.9431 of 2015

Arising Out of PS.Case No. -216 Year- 2014 Thana -RAJPUR District- BUXAR

Ashok Yadav @ Ashok Kumar Son of Baliram Yadav Resident of village -
Sarenja, P.O. Sarenja, P.S. Rajpur, District - Buxar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manendra Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

5 25-05-2015

Heard the parties.

The petitioner seeks bail in a criminal prosecution registered under Section 25 (1-B) (a)/26 of the Arms Act.

Though there is allegation of recovery of a country made pistol and 15 live cartridges from the possession of the petitioner, but taking into consideration the period of incarceration of the petitioner, who is said to be in judicial custody since 06.12.2014, his prayer for bail is allowed. The above named petitioner is ordered to be released on bail on furnishing bail bond of Rs.25,000/-(Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Rajpur P.S.Case No. 216 of 2014, subject to the following conditions:

(A) one of the bailors shall be a government servant,

(B) another bailor shall be either a family member or close relation of the petitioner who will file an affidavit in the court below showing his/her relationship with the petitioner,

(C) if the petitioner is found involved in same and similar nature of cases in future, then in that case, the informant/prosecution shall be at liberty to file a petition for cancellation of bail of the petitioner,

and if such a petition is filed, the court below would be obliged to dispose of the same in accordance with law after giving opportunity of hearing to all concerned, and
(D) the petitioner shall make regular pairvi in the court below in the present case either by appearing himself in person or through representation by his lawyer on each and every dates, and if on two consecutive dates petitioner fails to make pairvi, then the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Prasad Verma, J)

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