

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.884 of 2015

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Ratnesh Kumar son of Raju Ram, resident of Village - Reworiya, P.S.- Wahiyarpur, Distt- Patna at present Prasad Bigha, Stadium Raod in the rented house of Ganesh Prasad, P.S.+ Distt- Nawada.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Deo Raj, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 04-03-2015

Heard the parties.

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

Taking into consideration the fact that as per the FIR vide Annexure-1 only allegation against the petitioner is that one country made loaded pistol was recovered from his possession, but it is pleaded that no other criminal case except the present one is pending against him and he is in judicial custody since 31.08.2014, 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, Nawada in Nawada Town P.S. Case No. 535 of 2014, subject to the following conditions:

(A) one of the bailors must be government servant or close family member of the petitioner who will file an affidavit in the court below showing his/her relationship with the petitioner,

(B) 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

(C) 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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