

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15735 of 2015

Arising Out of PS.Case No. -323 Year- 2013 Thana -BUXAR District- BUXAR

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1. Sanjay Kumar @ Sanjay Sharma S/o late Krishnadeo Sharma@ Krishna Mohan Sharma R/o Village- Beri, P.o- Latta, P.s- Pauthu, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Shardanand Jha(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-05-2015

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 25(1-B)a/26 of the Arms Act.

It is alleged that the petitioner and his wife came to the house of the informant on 26.07.2013. On 28.07.2013 there was some altercation between the petitioner, his wife and the informant and the petitioner threatened the informant and subsequently found one country made pistol lying in his house, which was suspected to be kept by this petitioner, when it was seized in presence of the public and handed over to the police.

It is submitted by the learned counsel for the

petitioner that as per the own admission of the informant, the pistol was recovered from the house of the informant and it was the informant who handed over the pistol to the police. Statement has been made in para-3 of the petition that petitioner has no criminal antecedent.

Considering the fact that the recovery has not been made from the petitioner, let the above named petitioner be released on bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Buxar (Town) P.S. Case No. 323 of 2013, subject to conditions as laid down under Section 438(2) of the Indian Penal Code.

The bail bond of the petitioner shall be accepted by the learned court below on filing affidavit to the effect that he will cooperate during investigation. The said affidavit will be transmitted to the concerned I.O. The non-cooperation in the investigation will give liberty to the learned court below to cancel the bail bond of the petitioner.

(Dinesh Kumar Singh, J)

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