

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51297 of 2014

Arising Out of PS.Case No. -189 Year- 2014 Thana -ARA NAGAR District- BHOJPUR

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Md. Akbar S/o Md. Samim, resident of village + Muhalla Kashitola, P.S.-
Ara Town, District-Bhojpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh

For the Opposite Party/s : Mr. Manoj Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 03-03-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking bail in
connection with Ara Nagar P.S. Case No. 189 of 2014 registered
for offences under sections 399/402 of the Indian Penal Code and
Section 25(1-b)(a)/26/35 of the Arms Act.

Allegation has been made in the first information
report that the Police recovered a secret information that certain
accused persons assembled to commit crime. A raid was
conducted. The petitioner and two others were arrested from the
spot and certain persons fled away from there. On search, one live
cartridge along with mobile was recovered from the possession of
the petitioner.

The counsel for the petitioner submits that the petitioner is in custody since 2nd June 2014 which has been mentioned in paragraph 9 of this petition.

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 learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Ara Nagar P.S. Case No. 189 of 2014, 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)

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