

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23504 of 2016

Arising Out of PS.Case No. -25 Year- 2016 Thana -FATUHA District- PATNA

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Azad Kumar S/o Dinanath Prasad, Resident of Shora Kithi Ruiya Mahadeo
PS fatuha District Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sushil Kumar Jha

For the Opposite Party/s : Mr. Dilip Kumar (APP)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 30-05-2016

Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking bail in
connection with Fatuha P.S. Case No. 25 of 2016 registered for
offences under sections 399/ 402 of the Indian Penal Code and
25(1-b)a/26/35 of the Arms Act.

The Police on information reached near Kacchi
Dargah Mazar and from there 5-6 accused persons were arrested
with a white Scorpio. Allegation has been made that accused
persons were planning to commit a serious crime. From the
possession of the petitioner, one country made pistol and two live
cartridges were recovered.

The counsel for the petitioner submits that the

petitioner has no criminal history, is in jail since 17th January 2016.

Looking to the facts and circumstances of the case, let the petitioner, above named, be released on bail on **or after 18th July 2016** on his furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Mrs. J. Jamal, Judicial Magistrate 1st class, Patna City in connection with Fatuha P.S. Case No. 25 of 2016, 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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