

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23901 of 2016

Arising Out of PS.Case No. -23 Year- 2016 Thana -IMAMGANJ District- GAYA

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Rakesh Kumar @ Ajay Paswan son of Late Aditya Paswan, Resident of
village- Karmatar, Ghora Ghat, P.S. Dobhi, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nand Kishore Prasad Sinha

For the Opposite Party/s : Mr. Anusaiya Jaiswal(App)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 01-06-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking bail in
connection with Imamganj P.S. Case No. 23 of 2016 registered for
offences under sections 25(1-b)A/26/35 of the Arms Act.

As per the allegation, some miscreants assembled at
Sheo Mandir of village Harinkel for commission of crime. The
Police party on information, raided there and after seeing them.
the accused persons started fleeing from there, but the petitioner
was arrested at the spot and a Lava mobile has been recovered
from his possession, save and except, nothing has been said to
have been recovered.

The counsel for the petitioner submits that it is

completely a concocted case as there was a dispute arose during checking when the Police party was gone to impose fine, the petitioner insisted, the aforesaid case has been lodged against him.

As nothing has been recovered from the possession 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 Sub-Divisional Judicial Magistrate, Sherghaty in connection with Imamganj P.S. Case No. 23 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)

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