

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24567 of 2016

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

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Sandeep Paswan, son of Raj Kumar Paswan, resident of village-Jori, P.S.-
Jori, District-Chatra, State-Jharkhand

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajni Kant Jha

For the Opposite Party/s : Dr. Rabindra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 01-06-2016

Heard.

The petitioner seeks bail in a criminal prosecution registered under Sections 399 and 402 of the Indian Penal Code as also under Section 25(1-B)(a)/26/35 of the Arms Act.

Though, the petitioner, besides others, is named in the FIR vide Annexure-1 as an accused, but taking into consideration the fact that no fire arm was recovered from his possession and only recovery was of a mobile set and motorcycle standing there and further taking into consideration the fact that co-accused Uttam Kumar @ Sanjay Ji @ Santosh Ji with almost identical allegation has already been granted bail by a co-ordinate Bench of this Court vide order as contained in Annexure-3, let the petitioner above named be released on bail on furnishing bail bond of Rs.25,000/- with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Sherghati, Gaya in connection with Imamganj P.S. Case No.23 of 2016, subject to the conditions that:

(A) One of the bailors must be government servant
or close family members 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;

(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 date, 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)

Arvind/-

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