

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48033 of 2015

Arising Out of PS.Case No. -46 Year- 2015 Thana -BUXAR MUFFSIL District- BUXAR

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Baliram Chaudhary son of Kameshwar Choudhary, R/o village- Pandey
Patti, P.S.- Buxar (M), District- Buxar .. Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anirudh Mishra

For the Opposite Party/s : Mr. Asha Kumari(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 14-01-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner seeks bail in connection with Buxar (M) P.S.
Case No. 46 of 2015 registered for the offences punishable under
Sections 25(1-b)A, 26/35 of the Arms Act.

Allegedly, on the basis of disclosure made by the
petitioner that he and co-accused Ajay Kumar have purchased the
firearm which was used in the murder of Guddu Chaudhary and
after the crime the same was given to Ashutosh Upadhyay @ Jatta
Baba and accordingly, the said firearm was recovered from an
orchard.

Submission is of false implication and that the petitioner
has been made victim of Police atrocities, he has not made any
statement confessing his guilt, everything has been manipulated,

the petitioner has been remanded in this case after recording the statement of the petitioner on taking remand from Buxar Muffassil P.S. Case No. 40 of 2015 and other co-accused in this case namely, Ajay Kumar and Ashutosh Upadhyay @ Jata Baba have already been allowed bail by another co-ordinate Bench of this Court, as such the petitioner who is suffering in custody since 27.05.2015 deserves sympathetic consideration to which the learned APP fairly submits that other-co-accused have been allowed bail.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar in connection with Buxar (M) P.S. Case No. 46 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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