

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 47352 of 2014

Arising Out of PS.Case No. -224 Year- 2013 Thana -BARUN District- AURANGABAD

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Kameshwar Yadav Son of Bigan Yadav resident of Village - Karma Bigha, P.S. -
Jamhore, District - Aurangabad.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 13-01-2016

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

The petitioner seeks bail in Barun P.S. Case No. 224
of 2013 dated 22.10.2013 instituted under Sections 25(1-B)(a)/26 of
the Arms Act.

This is the second attempt of the petitioner seeking
bail as earlier such prayer was rejected by order dated 11.07.2014
in Cr. Misc. No. 7279 of 2014.

Learned counsel for the petitioner submits that the
prayer for bail was rejected on the sole ground that in the main
application the petitioner had not stated about his criminal
antecedent which was subsequently filed through a supplementary
affidavit. It is submitted that though there is antecedent of other
cases against him but he is on bail in all of them. It is further
submitted that though the petitioner was caught with one country
made pistol and two cartridges, but without going into the merits,

he is in custody since 22.10.2013.

Learned A.P.P., opposes the prayer for bail.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad in Barun P.S. Case No. 224 of 2013. The petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner. The petitioner shall also give an undertaking to the Court that he shall not indulge in any criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the trial and be present before the Court on each and every date. Failure to cooperate or appear on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

(Ahsanuddin Amanullah, J.)

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