

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28789 of 2016

Arising Out of PS.Case No. -413 Year- 2014 Thana -SIMRI BAKHTIARPUR District- SAHARSA

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Garib Yadav, S/o Ram Balak Yadav, R/o Village - Mathar, P.S. - Khagaria
Muffasil, District - Khagaria.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance:

For the Petitioner/s : Mr. Shiva Shankar Sharma, adv.
Mr. Arun Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Chaubey Jawahar

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

4 31-08-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking regular bail in connection with Bakhtiarpur P.S. Case No.413 of 2014, registered for the offence punishable under Sections 25 (1-AA) (1-B), 26 and 35 of the Arms Act.

Earlier the petitioner has moved before this Court in Criminal Miscellaneous No.19413 of 2015 and this Court vide order dated 16.06.2015 rejected the bail of the petitioner with a liberty to renew his prayer for bail after completing one year's judicial custody. The petitioner is in jail since 23.12.2014.

Looking to the period of custody, let the petitioner- Garib Yadav 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 Chief Judicial Magistrate, Saharsa, in connection with Bakhtiarpur P.S. Case No.413 of 2014 subject to the conditions that:-

(i) one of the bailors will be a close relative of the petitioner i.e. mother/father/ wife/son of the petitioner;

(ii) if the petitioner is found involved in similar type of case in future, 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) that the petitioner would participate in the court proceeding and in the event of being absent on two consecutive dates without reasonable explanation, the court below will be at liberty to cancel the bail bonds of the petitioner.

(Shivaji Pandey, J)

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