

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28151 of 2016

Arising Out of PS.Case No. -40 Year- 2016 Thana -AKBARNAGAR District- BHAGALPUR

Prasant Kumar @ Sajan Kumar son of Daso Prasad Yadav resident of
village- Sardarpur, P.S. - Madhusudanpur, District- Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha, Adv

For the Opposite Party/s : Mr. Sri Ramchandra Singh

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 13-07-2016 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the offence
under Sections 25(1-b)A, 26 &35 of the Arms Act.

Considering the period of custody and that two cartridges
were recovered from the possession of the petitioner or that he has
fair antecedent, let him be released on bail on furnishing bail
bond of Rs.5,000/-(Five Thousand) with two sureties of the like
amount each or any other surety to be fixed by the Court below to
the satisfaction of Additional Chief Judicial Magistrate 1st,
Bhagalpur in connection with Akbarnagar P.S. Case No. 40 of
2016 subject to the conditions,

That one of the bailors will be a close relative of the
petitioner, who will give an affidavit giving genealogy as to how

he is related with the petitioner. The bailor will undertake to furnish information to the court about any change in the address of the petitioner,

That the affidavit shall clearly state that the petitioner is not an accused in any other case and, if he is, he shall not be released on bail,

That the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse,

That the petitioner will give an undertaking that he will receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse.

That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Anjana Prakash, J)

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