

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42735 of 2016

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Saurabh Kumar, son of Shri Janeshwar Yadav @ Janeshwar Prasad Yadav,
resident of village Barahi, P.S. & District Madhepura Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner : Mr. Durgesh Kumar, Adv.

For the Opposite Party : Mr. Satyadev Prasad Singh Yadav, APP 131

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 17-10-2016

Heard the parties.

This is a petition for grant of regular bail for offence under Sections 25(1-B)A, 26 and 35 of the Arms Act.

It is submitted on behalf of the petitioner that he has been implicated in this case on the basis of the statement and identification of co-accused, Ajay Kumar, who was apprehended, along with co-accused, Ankush Kumar, in connection with Saharsa Sadar P.S. Case No. 485 of 2016 registered under Sections 395, 307 and 324 of the Indian Penal Code. It is stated that the petitioner himself has disclosed that his country made pistol was kept in the room of co-accused, Ankush Kumar, who was found there. It is urged that except the self incriminating disclosure by the petitioner, nothing is on record.

From the first information report, itself, it is apparent that the pistol was recovered from the room of co-accused, Ankush Kumar, whereas in the seizure list it is stated that it has been recovered from the room which was rented to the petitioner and Ankush Kumar both.

Hence, having regard to the facts and circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten

thousand) with two sureties of the like amount each in connection with Saharsa P.S. Case No. 489 of 2016 to the satisfaction of the Chief Judicial Magistrate, Saharsa.

Hence, in view of criminal antecedent of the petitioner, he would be required to appear before the Superintendent of Police, Saharsa, within fifteen days of his release with a copy of this order and every two weeks thereafter for the next six months. The conduct of the petitioner will be kept under watch during the aforesaid period by the Superintendent of Police, concerned, and if it is found wanting in any respect, a report shall be made to the Court, concerned, by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the Court, concerned, which should be granted by the Superintendent of Police upon his appearance.

(Dr. Ravi Ranjan, J)

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