

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14790 of 2016

Arising Out of PS.Case No. -34 Year- 2016 Thana -BEGUSARAI TOWN District- BEGUSARAI
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Gaurav Kumar @ Amardeep Kumar S/o Ram Balak Prasad Singh R/o vill. -
Sahpur Lodipur Ward No. 8, P.S. Muffasil, Distt. - Begusarai

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate.

For the Opposite Party/s : Mr. B.N.Pandey, APP.

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

4 17-05-2016 Heard the learned counsel for the petitioner as well

as the learned A.P.P for the State.

The petitioner seeks bail in connection with Begusarai Town P.S. Case No. 34 of 2016 registered for the offence punishable under Section 414 of the Indian Penal Code and 25 (1-B)a, 26 and 35 of the Arms Act.

Allegedly, during raid, one Sumo Gold vehicle was seen and after seeing the police force, the petitioner tried to speed away but was surrounded and in the vehicle six persons including the petitioner were apprehended and from possession of the petitioner, one loaded country made katta besides two more live cartridges was recovered.

Submission is of false implication, Veena Mishra, mother of Kumar Gourav @ Munna Kumar @ Munna has lodged

complaint case no. 1469 of 2015 on 24.04.2015 against the informant of the present case and due to that reason co-accused and the petitioner have been implicated, the petitioner has got no criminal antecedent and he is suffering in custody since 22.01.2016. Other co-accused Kumar Gourav @ Munna Kumar @ Munna has been allowed bail.

The learned APP opposes the prayer of bail by pointing out that the alleged recovery and further regarding the Sumo Vehicle also no paper regarding ownership was produced.

In the facts and circumstances stated above, the petitioner shall be released on bail on completion of six months in custody 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, Begusarai in connection with Begusarai Town P.S. Case No. 34 of 2016, 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.

Mishra/-

(Jitendra Mohan Sharma, J.)

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