

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21742 of 2016

Arising Out of PS.Case No. -55 Year- 2015 Thana -LODIPUR District- BHAGALPUR

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Md. Tanvir Son of Md. Muslim @ Md. Mokim @ Khopo, resident of
village - Mirzapur Bardah, Police Station Mufassil, District – Munger.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Harun Quareshi

For the Opposite Party/s : Mr. Bhanu Pratap Singh (App)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 01-06-2016

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

In this case, the petitioner is seeking bail in connection
with Lodipur P.S. Case No. 55 of 2015 registered for offences under
sections 25(1-A), 25 (1-AA), 25(1-AC), 26 (i) (ii) (iii) of the Arms Act.

The Police raided the orchard from where it was found
that the petitioner and his associates were running the arms factory.

The petitioner had earlier moved before this Court for
bail in Cr. Misc. No. 49888 of 2015 and this Court, vide order dated
9.11.2015, rejected the bail application of the petitioner with the
observation that he may renew his prayer for bail after completion of
nine months in jail custody.

The counsel for the petitioner submits that the petitioner
has no criminal history, is in custody since 27.05.2015.

Looking to the period of custody, let the petitioner, above

named, be released on bail on his furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri R.R. Raman, Judicial Magistrate, Bhagalpur in connection with Lodipur P.S. Case No. 55 of 2015, subject to the condition that (i) one of the bailors shall be a close relative of the petitioner (ii) if the petitioner is found involved in future in similar type of case, 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 (iii) the petitioner would cooperate in the proceeding of the court below. In event of failure to appear on two consecutive dates, the court below will be at liberty to pass the order, including cancellation of bail bonds and (iv) the petitioner will report to Lodipur police station by 7th of every month at least for six months. In case of failure, his bail will be treated to have been cancelled.

The court below while granting bail, will verify the date of custody of the petitioner as has been submitted by his counsel. If it is found that the above statement is correct, the petitioner would be released on bail.

(Shivaji Pandey, J)

Mahesh/-

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