

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57225 of 2015

Arising Out of PS.Case No. -266 Year- 2015 Thana -BUXAR MUFFSIL District- BUXAR

Banti Tiwary @ Indra Kant Tiwary son of Kamla Kant Tiwary, R/o
Ambedkar Chouk Buxar, P.S. Buxar (T) Dist. Buxar.

.... Petitioner/s

Versus

The State of Bihar.s

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Kamal Deo Sharma

For the Opposite Party/s : Mr. Akbar Ali(App)

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 23-02-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking bail in
connection with Buxar (Muffasil) P.S. Case No. 266 of 2015
registered for offences under sections 399, 402 of the Indian Penal
Code and 25(1-b)a/26/35 of the Arms Act.

In the first information report, allegation has been
made that the accused persons were preparing a heinous crime, but
they were intercepted and the petitioner and his friend were
arrested along with motor cycle and one country made pistol.

The petitioner carries five criminal cases over his
head.

The counsel for the petitioner submits that all the

cases have been lodged when the petitioner and his cousin lodged the complaint against the Police.

Looking to the facts and circumstances of the case, let the petitioner, above, be released on bail **in or after 1st week of April, 2016** on his furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Buxar (M) P.S. Case No. 266 of 2015, subject to the condition that (i) except father, 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 and (iii) the petitioner would cooperate 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.

(Shivaji Pandey, J)

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