

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43473 of 2016

Arising Out of PS.Case No. -37 Year- 2016 Thana -TATARPUR District- BHAGALPUR

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Md. Shanwa @ Sahbaz @ Md. Shahnawaz son of Md. Farooq resident of
Mohalla- Nawab Colony, Koiri Bazar, P.S.- Habibpur District Bhagalpur.
..... Petitioner

Versus

The State of Bihar

..... Opposite Party

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Appearance :

For the Petitioner : Mr. Vivekanand Vivek, Advocate

For the Opposite Party: Mr. Jitendra Kr. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 18-10-2016 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 27.03.2016 in connection with Tatarpur P.S. Case No. 37 of 2016 for the offences alleged under Sections 25(1-b)a/26/35 of the Arms Act.

3. It is submitted that the petitioner has been falsely implicated and the seizure list has not been prepared in the presence of the independent witnesses. It would further appear that the recovered arms and ammunitions were not in working condition, as reported by the Sergeant Major.

4. Having regard to the entirety of the facts and circumstances of the case and considering the period of custody of the petitioner, let him be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, VII, Bhagalpur in connection with Tatarpur P.S. Case No. 37 of 2016 with the following conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar

offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

B.T/ Chandran

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