

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27051 of 2016

Arising Out of PS.Case No. -41 Year- 2016 Thana -KHIJARSARAI District- GAYA

Rakesh Kumar, son of Suresh Yadav Resident of village- Gulabi P.S. Atari,
District- Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. T.N.Thakur(App)

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 12-07-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking regular bail in connection with Khijarsarai P.S. Case No.41 of 2016, registered for the offences punishable under Sections 147, 148, 149, 386, 121 and 124(A) of the Indian Penal Code, under Section 25(1-b), 26 and 35 of the Arms Act, under Section 17 of the Criminal Law Amendment Act and under Sections 13, 16, 18 and 20 of the UAPA Act.

On secret information the police raided the house of the petitioner and on his statement country made pistol was recovered from the house of one Sahdev Yadav.

Learned counsel for the petitioner submits that the

petitioner has falsely been implicated in the present case as no recovery has been made from the possession of the petitioner.

The petitioner is in jail since 25.02.2016.

Having considered the facts and circumstances of the case, let the above named petitioner be released on bail on furnishing bail bonds of Rs.10, 000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Gaya, in connection with Khijarsarai P.S. Case No.41 of 2016 subject to the conditions that:-

- (i) one of the bailors will be a close relative of the petitioner i.e. mother/father/wife/son of the petitioner;
- (ii) if the petitioner is found involved in similar type of case in future, 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) that the petitioner would participate in the court proceeding and in the event of being absent on two consecutive dates without reasonable explanation, the court below will be at liberty to cancel the bail bonds of the petitioner.

(Shivaji Pandey, J)

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