

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35497 of 2017

Arising Out of PS.Case No. -201 Year- 2017 Thana -BUXAR District- BUXAR

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Shushant Tiwari @ Sushant Tiwari, son of Gajendra Tiwari @ Mohan
tiwari, resident of village Babhni, P.S. Buxar(M), district Buxar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rahul Nath

For the Opposite Party/s : Mr. Rajeev Nayan

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 17-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
23.04.2017 in connection with Buxar (T) P.S. Case No. 201/2017
for offences punishable under Sections 25(1-b) A, 26 of the Arms
Act.

The prosecution case, as lodged by the police
personnel, is that during patrolling the petitioner was found fleeing
away seeing the police and was apprehended and on search one
country-made pistol loaded with one cartridge and one another
live cartridge was recovered from his possession.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal history and has
been falsely implicated in the aforesaid case. He submits that no



overt act has been committed by him and that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on completion of six months in custody on 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 (T) P.S. Case No. 201/2017, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station/ court, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

Rajesh/-

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