

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43594 of 2017

Arising Out of PS.Case No. -187 Year- 2017 Thana -KHAGARIA District- KHAGARIA

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1. Keshaw Kumar S/o Vijay Kumar Vinay, Resident of Village-Madhura,
P.S. Sour Bazar, District-Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amarnath Jha

For the Opposite Party/s : Mr. Md. Ansarul Haque

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 17-10-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in custody since 22.03.2017 in
connection with Khagaria Town P.S. Case No. 187/17, G.R. No.
824 of 2017 for offences punishable under Sections 25(1-
b)a/26/35 of the Arms Act.

The prosecution case, as lodged by the police
personnel, is that on secret information the motorcycle ridden by
three persons including the petitioner was intercepted and the
petitioner along with two others, namely, Laxman Kumar and
Nayan Yadav were apprehended. From the motorcycle one
country-made pistol and two cartridges were recovered.



Accordingly, a seizure-list was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal antecedent, charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner. He submits that two of the co-accused apprehended along with the petitioner have since been granted privilege of bail by coordinate Benches of this Court in Cr. Misc. No. 27727 of 2017 on 12.07.2017 and Cr. Misc. No. 33913 of 2017 on 26.07.2017 on similar allegations.

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 furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Khagaria, in connection with Khagaria Town P.S. Case No. 187/17, G.R. No. 824 of 2017, subject to the following conditions :

- (i) Both the bailors would be close relatives of the petitioner having sufficient immovable property, who will file an



affidavit stating their relationship with the petitioner.

- (ii) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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