

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51338 of 2017

Arising Out of PS.Case No. -370 Year- 2017 Thana -NAWADA District- NAWADA

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Avinash Kumar @ Abhinash Kumar S/o Late Ram Narayan Sharma, R/o
Village- Budhaul, P.S.- Nawada, District- Nawada.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Sri Vinod Shankar Modi

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 30-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Nawadah
(Town) P.S. Case No. 370 of 2017 for offences punishable under
Sections 25 (1-b) a/26 of the Arms Act.

The prosecution case, as lodged by the police personal,
is that on secret information the house of the petitioner was raided
for search of illicit liquor but found one loaded country made
pistol and 11 live cartridges in a box. Accordingly, a seizure list
was prepared.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal history and has
been falsely implicated by the police on the instruction of



Chowkidar of the said locality. He submits that nothing has been recovered from the conscious possession of the petitioner, he is languishing in judicial custody since 01.08.2017 and that charge-sheet has already been submitted.

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 Chief Judicial Magistrate, Nawada in connection with Nawada (Town) P.S. Case No. 370 of 2017, subject to the condition that Both bailors would be close relative of the petitioner having sufficient immovable property, who will file an affidavit stating their relationship with the petitioner.

(Nilu Agrawal, J)

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