

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14434 of 2017

Arising Out of PS.Case No. -169 Year- 2016 Thana -JOGBANI District- ARRARIA

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1. Md. Dildar, Son of Md. Idrish, resident of village- Ahmadnagar Ward
No. 17, P.S. Jogabni, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh

For the Opposite Party/s : Mr. Zainul Abedin

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 29-03-2017 Heard the parties.

This application has been filed in connection with Special
Case No.45 of 2016 arising out of Jogbani P.S.Case No.169 of
2016 for the offence under Sections 35(1-B)A, 26 of the Arms Act
and Section 20 IIA of the N.D.P.S.Act.

It is submitted on behalf of the petitioner that though the
case has been registered under the Arms Act as well as the
N.D.P.S. Act but the allegation is only of recovery of two '*pauch*'
of 3.90 gram and 2.70 gram. and there is also recovery of one Air
Pistol. The petitioner is in custody for more than three months. He
has clean antecedent.

Heard learned A.P.P. also.

Having heard both sides and in view of clean antecedent as



well as he has remained in custody for about three months, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of Special-cum-Sessions Judge, Araria in connection with Special Case No.45 of 2016 arising out of Jogbani P.S.Case No.169 of 2016

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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