

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5368 of 2017

Arising Out of PS. Case No. -712 Year- 2016 Thana -NAWADA District- NAWADA

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Sachin Kumar, son of Lalan Yadav, resident of Village- Gola Road
Nawada, P.S. Nawada, Dist- Nawada.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Birendra Kumar, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 06-02-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 20.12.2016 in connection with Nawada Town P.S. Case No. 712 of 2016 for the offences alleged under Sections 25(1-B)A of the Arms Act and Section 37 (b)(c) of Bihar Prohibition & Excise Act, 2016.

3. It is submitted that the petitioner has been falsely implicated and in any event the pistol without magazine was recovered from co-accused Rohit Kumar. The petitioner claims clean antecedents.

4. Having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada, in connection with Nawada Town P.S. Case No. 712 of 2016, on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any



similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

Md. Ibrarul/BT

(Vikash Jain, J)

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