

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4300 of 2017

Arising Out of PS.Case No. -126 Year- 2016 Thana -NAYA RAM NAGAR District- MUNGER

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1. Khushal Khan Son of late Rafique Khan Resident of Village- Khapraha,
P.S.- Sikrara, District- Jaunpur(UP).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Sinha
Mr. Bhola Kumar

For the Opposite Party/s : Mr. Brajendra Nath Pandey

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 14-02-2017 The petitioner is in custody since 07.09.2016 in connection with Naya Ramnagar P.S. Case No. 126 of 2016, registered for offences punishable under Sections 25(1)a, 25(1-B), 26(i) (ii)/35 of the Arms Act.

It has been submitted on behalf of the petitioner that though there is allegation against the petitioner of recovery of two country made pistol and one empty magazine, however the petitioner has been in judicial custody for more than five months for the said offence and the petitioner has clean antecedent.

Heard learned A.P.P. also.

Having heard both side, no doubt two country made pistols with one empty magazine has been recovered from the



possession of the petitioner, however he has no criminal antecedent and has remained in judicial for more than five months, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Munger, in connection with Naya Ramnagar P.S. Case No. 126 of 2016, subject to the 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 cooperate 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.



It is also made clear, if the petitioner, in future, found involved in any of the like offence, his bail bonds will be cancelled.

(Vinod Kumar Sinha, J)

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