

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53835 of 2016

Arising Out of PS.Case No. -471 Year- 2016 Thana -FORBESGANJ District- ARRARIA

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1. Arbind Choudhary @ Arbind Kumar Choudhary, S/o Nanki Choudhary,
Resident of Village- Training School Chowk, Dhatta Tola, P.S. Forbesganj,
District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Kundan Kumar Singh
Mr. Bishwajeet Singh

For the Opposite Party/s : Smt. Sharda Kumari

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 25-01-2017 The petitioner is in custody since 05.09.2016 in

connection with Forbesganj P.S. Case No. 471 of 2016 (G.R. No.

2905/2016) registered for offences punishable under Section 25(1-

b)a/26 of Arms Act.

It has been submitted on behalf of the petitioner that

though there is allegation against the petitioner that one country

made pistol was recovered from his possession, but the said pistol

was not functional, the said fact has also come in para 22 of the

case diary and the petitioner has been in judicial custody since

05.09.2016.

Learned counsel for the state has opposed the prayer of

bail.

Having heard both sides, in view of the fact that there is

no definite opinion about the condition of the pistol in the case

diary and also that the petitioner has remained in judicial custody



for more than four 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, Araria, in connection with Forbesganj P.S. Case No. 471 of 2016 (G.R. No. 2905/2016), 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.

(Vinod Kumar Sinha, J)

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