

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44202 of 2017

Arising Out of PS.Case No. -157 Year- 2017 Thana -FATEHPUR District- GAYA

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1. Raj Chaudhary @ Pappu Chaudhary @ Vinod Chaudhary Son of Batah
@ Sarvesh Chaudhary, R/o Village- Gadahiya Tola, P.S.- Wazirganj,
District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar

For the Opposite Party/s : Mr. Suresh Prasad Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 17-10-2017 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner is languishing in custody since
20.05.2017 in connection with Fatehpur P.S. Case No.
157/2017 for offences punishable under Sections 25(1-
b) 26 of the Arms Act.

The prosecution case, as lodged by the police
personnel, is that during course of patrolling they saw
the petitioner fleeing away, who was apprehended and
from his possession one country-made pistol was
recovered.

It has been submitted by the learned counsel



for the petitioner that he is innocent, bears no criminal antecedent and no cartridge has been recovered from his possession. He further submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

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, Gaya, in connection with Fatehpur P.S. Case No. 157/17, subject to the following conditions :

- (i) Both the bailors would be close relatives of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station, who will file an affidavit stating their relationship with the petitioner.
- (ii) If the petitioner indulges in an offence of



similar nature in future, the prosecution will be
at liberty to move the court below for
cancellation of his bail bonds.

(Nilu Agrawal, J)

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