

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47587 of 2017

Arising Out of PS.Case No. -95 Year- 2017 Thana -JADIA District- SUPAUL

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1. Kuldeep Sardar Son of Shivan Sardar, R/o Village- Maholia, P.S.- Jadia,
District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. Ataur Rahman

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 11-10-2017 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner seeks bail in connection with Jadia
P.S. Case No. 95/2017 for offences punishable under
Sections 25(1-b) A, 26, 35 of the Arms Act.

The prosecution case, as lodged by the
informant police personnel, is that on night patrolling and
checking of vehicles they intercepted a motorcycle and
apprehended the petitioner while one other managed to
escape. From the motorcycle of the petitioner one country-
made pistol and one fused cartridge was recovered.
Accordingly, a seizure-list was prepared.



It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and has been falsely implicated in the aforesaid case. He submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner. He further submits that no overt act has been committed by the petitioner and he is in judicial custody since 15.07.2017.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record as well as the period of custody, 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 Addl. Chief Judicial Magistrate-Vth, Supaul, in connection with Jadia P.S. Case No. 95/2017, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner and if the petitioner indulges in an offence of similar nature in



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

(Nilu Agrawal, J)

Rajesh/-

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