

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52846 of 2017

Arising Out of PS.Case No. -240 Year- 2017 Thana -CHAPRA TOWN District- SARAN

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Badal @ Akhilesh Kumar @ Vadal Kumar Son of Rambabu Srivastava
resident of Village - Mirpur Bhual, P.S. - Dighwara, District - Saran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yashraj Bardhan, Advocate

For the Opposite Party/s : Mr. Sri Shailendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

2 09-11-2017

Heard learned counsel for the petitioner and learned

APP for the State.

This is a case registered under Sections 399,402,414
of the Indian Penal Code and 25(1-b)a, 26 and 35 of the Arms Act.

On information regarding assembling of some anti
social elements near air strip at Chhapra, the police went to the
spot and on seeing the police party the instant petitioner along
with others are said to have fled away. The FIR alleges recovery
of one .303 bore loaded country made pistol, mobile phone and
motorcycle from the possession of the petitioner.

Counsel for the petitioner submits that merely on the
basis of suspicion he has been implicated in this case. He further
submits that in fact one Guddu Kumar co-accused has named the



petitioner in his confessional statement and on the basis of said confessional statement the petitioner was arrested and thereafter, remanded in other cases which he has mentioned in para 3 of the petition. Petitioner is in jail custody since 09.06.2017.

In the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Saran in Chhapra Town P.S. Case No. 240 of 2017 subject to the conditions :

- (i) That one of the bailors will be a close relative of the Petitioner who will give an affidavit giving genealogy as to how he is related with the Petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the Petitioner.
- (ii) That the Petitioner will give an undertaking that he will receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse.
- (iii) That the Petitioner will be well represented on each date



and if he fails to do so on two consecutive dates, his bail
will be liable to be cancelled.

(Madhuresh Prasad, J)

Prakash/-

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