

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.3467 of 2017

Arising Out of PS.Case No. -40 Year- 2016 Thana -AKBARNAGAR District- BHAGALPUR

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Amit Kumar Goswami, Son of Late Pankaj Kumar Goswami, resident of
Village- Mansar, P.S. Madhusudanpur, Distirct- Bhagalpur.

... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Janki Nandan Prasad

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

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 20-02-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Akbarnagar
P.S. Case No. 40 of 2016 registered for the offences punishable
under Sections 25(1-b)A, 26/35 of the Arms Act.

Allegedly, the petitioner and co-accused were caught
when they were trying to flee away and from possession of the
petitioner a country made loaded pistol, a magazine containing
live cartridge and Nokia Mobile were recovered.

Submission is of false implication and that the petitioner
is suffering in custody since 19.04.2016, the petitioner has been
made accused in Akbarpur P.S. Case No. 41 of 2016 registered for
the offences punishable under Sections 386 and 387 of the Indian
Penal Code wherein he is on bail and as such he deserves



sympathetic consideration to which the learned APP submits that considering the period of detention of the petitioner now lenient view can be taken.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Bhagalpur in connection with Akbarnagar P.S. Case No. 40 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

avin/-

(Jitendra Mohan Sharma, J)

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