

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42430 of 2017

Arising Out of PS.Case No. -35 Year- 2017 Thana -BALIA District- BEGUSARAI

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1. Panchanand Mishra @ Panchanand Kunwar @ Pancha Kunwar @ Pancha Kumar, Son of Hari Ballav Kunwar @ Hari Ballav Mishra, Resident of Village- Goklenagar, Bishnupur, P.S.- Ballia, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam

For the Opposite Party/s : Mr. Sri Sanjay Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 14-09-2017 The petitioner seeks regular bail in connection with Ballia P.S. Case No. 35 of 2017, registered for offences punishable under Sections 25(1-b)a, 26 of the Arms Act.

Allegation is of recovery of one loaded pistol along with two live cartridges.

It has been submitted on behalf of the petitioner that he has falsely been implicated in this case and moreover, he has sufficiently been punished for the said offence as he has remained in judicial custody for seven months. It has also been submitted that so far criminal antecedent is concerned he is an accused in three other cases and as stated in petition out of three he was on bail in two cases and now acquitted in those cases and so far another case is concerned that is pending.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstance of the case, nature of allegation and the period of



custody, 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, Begusarai, in connection with Ballia P.S. Case No. 35 of 2017, 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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