

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51278 of 2017

Arising Out of PS.Case No. -188 Year- 2017 Thana -BHABHUA District- BHABHUA (KAIMUR)

=====

Durga Choudhary, S/o Ramji Singh Patel @ Ramjee Chaudhary, resident
of Village- Ramgarh, P.S.- Bhagwanpur, District- Kaimur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Ajay Nandan Sahay, Advocate.

For the Opposite Party : APP

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 09-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 18.06.2017 in connection with Bhabua P.S. Case No. 188 of 2017 for the offences alleged under Sections 25(1-b) a, 26, 35 of the Arms Act.

3. It is submitted that the petitioner has been falsely implicated only on the extra judicial confessional statement of co-accused Wajid Ali Ansari. No recovery of any arms has been made from the possession of the petitioner. Similarly situated co-accused Divesh Singh has been granted bail by this Court in Cr. Misc. No. 44533 of 2017.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the



satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabua, in connection with Bhabua P.S. Case No. 188 of 2017, on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

Md. Ibrarul/BT

U		T	
---	--	---	--

