

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13910 of 2017

Arising Out of PS.Case No. -445 Year- 2016 Thana -BIHARSHARIF District- NALANDA
(BIHARSHARIFF)

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Md. Akbar @ Akbar S/O Md. Asu Marhum, reisdnt of Mohalla- Garhpar,
near Circus Maidan, P.S.- Bihar, District- Nalanda

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad

For the Opposite Party/s : Mr. Sri Vinod Shankar Modi

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 24-03-2017 Heard the parties.

This application has been filed in connection with B.P.No.102 of 2017 in connection with Bihar Police Station “Case No.445 of 2016 for the offence under Sections 25 (1-B)A and 26 of Arms Act.

As per submission of the learned counsel for the petitioner, there is recovery of one country-made Pistol and one cartridge and he is in custody for about 5 ½ months. So far criminal antecedent is concerned, it has been submitted by the learned counsel for the petitioner that it is of the year, 2009.

Heard learned A.P.P. also, who could not controvert the above facts.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be



enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Nalanda at Bihar Sharif in connection with Bihar P.S. Case No.445 of 2016.

With following conditions :

- (i) One of the bailors of the petitioner shall be a close relative 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 co-operate 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.
- (iv) If the petitioner is found indulged in such type of cases in future, the prosecution will be at liberty to move for cancellation of his bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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