

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.22719 of 2017**

Arising Out of PS.Case No. -26 Year- 2017 Thana -TEKARI District- GAYA

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Nirbhay Kumar, Son of Late Ramchander Prasad, resident of Village-  
Parawan, P.S.- Konch, District- Gaya.

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR**  
**MISHRA**  
ORAL ORDER

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4      14-07-2017                      Heard learned counsel for the petitioner and the learned  
A.P.P. for the State.

The petitioner seeks bail in connection with Tekari P.S.  
Case No.26 of 2017 registered under Sections 386/34 of the Indian  
Penal Code besides Sections 25(1-b)a, 26 and 35 of the Arms Act.

The accusation is that on receiving secret information  
about coming of two extremists on one motorcycle, police reached  
near Rameshwar Bagicha Panchanpur Tekari Main Road and  
surrounded the same. In that course, when two persons borne on a  
motorcycle reached there, police tried to stop them but they started  
to flee away on the motorcycle in high speed. However, on chase,  
they were apprehended and on query, the person, who was driving



the motorcycle, disclosed his name as Nirbhay Kumar (petitioner) and another person, who was sitting on the motorcycle, disclosed his name as Chandramohan Kumar. On search, the petitioner was found in possession of one loaded country made pistol and one live cartridge etc. whereas Chandramohan Kumar was found in possession of one mobile set etc.

Learned counsel appearing on behalf of the petitioner submits that the petitioner having no criminal antecedent is in custody since 20.01.2017.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Gaya, in connection with Tekari P.S. Case No.26 of 2017. Out of the two sureties, one must be close relative of the petitioner, who will file an affidavit giving genealogy as to how he/she is related with the petitioner. The bailors will undertake to furnish information to the court about any change in the address of the petitioner.

**(Rajendra Kumar Mishra, J)**

**P.S./-**

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