

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53171 of 2017

Arising Out of PS.Case No. -185 Year- 2017 Thana -GARAUL District- VAISHALI(HAJIPUR)

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Dulare @ Md. Dulare, Son of Md. Noor Alam, resident of village-
Mathaura, P.S.- Sakara, District - Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Sri Ashok Kumar Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 20-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in custody since 07.08.2017 in
connection with Goraul P.S. Case No. 185 of 2017 for offences
punishable under Sections 25 (1-b) a, 26/35 of the Arms Act.

The prosecution case, as lodged by the police
personnel, is that during patrolling duty they intercepted a tempo
from which four persons tried to flee away who were arrested
including the petitioner. From the possession of the petitioner one
country made pistol and two cartridges along with the mobile was
recovered.



It has been submitted by the learned counsel for the petitioner that he is innocent, no overt act has been committed and that he is languishing in judicial custody for more than three months. He submits that charge-sheet has already been submitted and there is no allegation of tempering of the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on completion of six months in custody on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Chief Judicial Magistrate, Vaishali at Hajipur in connection with Goraul P.S. Case No. 185 of 2017, subject to the conditions that:

- (1) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.
- (2) Petitioner will appear before the



learned court below during trial as
and when required and failure to
appear on two consecutive dates
without assigning any reason will
entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Devendra/-

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