

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 13171 of 2018

Arising Out of PS.Case No. -160 Year- 2017 Thana -NIMCHAKBATHANI District- GAYA

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Mahendra Yadav @ Mahendra Prasad S/o Kameshar Prasad @ Kameshwar Prasad @ Kameshwar Yadav, R/o Village- Sekhpura, P.S.- Nimchak Bathani, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Ms Kiran Sinha, Advocate

For the State : Mr Brajendra Nath Pandey, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

3 12-04-2018

Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner seeks bail in a case registered under Sections 25/26 of Arms Act.

It is submitted by the petitioner's counsel that the petitioner has been falsely implicated in this case subsequent upon his implication in Nimchak Bathani Police Station Case No 159 of 2017 which discloses an allegation, an hour prior to the instant case. It is further submitted that falsity of the allegation would be evident from the fact that though the information discloses assembly of persons, only the petitioner's name is mentioned in the column of the accused in the first information report.



Petitioner is in custody in connection with this case since 19.12.2017.

Considering the aforesaid submissions, petitioner's prayer for bail is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate X, Gaya in Nimchak Bathani Police Station Case No 160 of 2017 subject to the following conditions:

(1) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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