

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2915 of 2018

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

=====

1. Vazid Ali Ansari S/o Wahidul Haque Ansari, R/o Village- Kohari, P.S.-
Bhabua, District- Kaimur, At present residing at ward No.10, Bhabua, P.S.-
Bhabua, District- Kaimur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Pathak

For the Opposite Party/s : Mr. Chandrasen Prasad Singh

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 16-02-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Bhabua P.S.
Case No. 188 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 the petitioner was apprehended in Bhabua P.S.
Case No. 184 of 2017 and on his confession house of co-accused
Guddu Mian was searched and four fire-arms and a number of live
cartridges were recovered, which were being used for loot and
other purposes.

It has been submitted by the learned counsel for the



petitioner that he is innocent, had no criminal antecedent prior to the institution of the present case, although, thereafter two more cases have been instituted against him but not under similar sections. He submits that nothing has been recovered from his conscious possession and some of the co-accused have been granted privilege of bail by coordinate Benches of this Court. He further submits that charge-sheet has already been submitted, there is no allegation of tampering of the prosecution witnesses by the petitioner and he is languishing in judicial custody since 03.04.2017.

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 furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate-VI, Kaimur at Bhabua, in connection with Bhabua P.S. Case No. 188 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.
- (3) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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

