

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.11774 of 2018**

Arising Out of PS.Case No. -176 Year- 2017 Thana -CHARPOKHARI District- BHOJPUR

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Baja @ Kush Kumar. Son of Ujagir Prasad @ Ujagir Sah, r/o. vill.  
Charpokhari, P.S. Charpokhari, Dist. Bhojpur.

.... .... Petitioner/s

Versus

The State of Bihar

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

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**Appearance :**

For the Petitioner/s : Mr. Ajay Kumar Singh

For the Opposite Party/s : Mr.R.P. Nat, APP

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**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**

**ORAL ORDER**

2     27-02-2018             Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody since 16.08.2017 in connection with Charpokhari P.S. Case No. 176 of 2017 for the alleged offences under Sections 25(1-b)A, and 26 of the Arms Act.

3. It is submitted that the petitioner has been falsely implicated in connection with alleged recovery of one country made pistol and one live cartridge. It is submitted that the petitioner has clean antecedents, but after lodging of the present FIR he has been implicated in other cases.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case and considering the period of custody since 16.08.2017 already suffered, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned A.C.J.M.IV, Bhojpur at Ara in connection with Charpokhari P.S. Case No. 176/2017 on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar



offence till conclusion of the trial.

(iii) That the petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

**(Vikash Jain, J)**

Chandran/BT

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