

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.77204 of 2018**

Arising Out of PS. Case No.-71 Year-2018 Thana- PHULWARISHARIF District- Patna

Md. Nanhey @ Nayyar, son of Md. Naushad, resident of Mohalla Kachahari  
Mohalla, P.S. Phulwarisharif, District- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ganesh Prasad Yadav, Advocate  
For the Opposite Party/s : Mr. Jitendra Kumar Singh , APP

**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

2      21-12-2018                      Heard learned counsel for the petitioner and the  
  
State.

The petitioner seeks bail in connection with  
Phulwarisharif P.S. Case No. 71 of 2018 instituted for the  
offence under Section 414 of the Indian Penal Code, Sections  
25(1-B)a, 26 and 35 of Arms Act.

It is alleged in the written report that one  
country made pistol and four live cartridges have been  
recovered from possession of the petitioner.

Petitioner is said to be in custody since  
1.2.2018.

It is mentioned in paragraph-3 of the bail  
petition that 9 cases are pending against the petitioner.

Keeping in view the period spent by the petitioner



in custody, prayer for bail of the petitioner is allowed. Let the petitioner above named, be released 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 Additional Chief Judicial Magistrate-XV, Patna, in connection with Phulwarisharif P.S. Case No. 71 of 2018 subject to the condition that both the bailors will be the close relatives of the petitioner with further conditions which are as follows:

(i) Petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court (ii) In absence on two consecutive dates without any valid reason, the bail bonds of the petitioner will be liable to be cancelled and (iii) if petitioner tampers with the evidence or the witnesses of the case, in that event, prosecution will be at liberty to move for cancellation of bail of the petitioner.

**(Sanjay Priya, J)**

S.Ali/R.Ranjan-

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