

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 17495 of 2018

Arising Out of PS.Case No. -330 Year- 2017 Thana -UDWANTNAGAR District- BHOJPUR

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Nikku Chaudhary S/o Sri Narendra Chaudhary, R/o Village- Belour, P.S.-
Udwant Nagar in the District of Bhojpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Prabhu Narayan Sharma, Advocate

For the State : Mr Suresh Prasad Singh, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

3 03-05-2018

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

Petitioner seeks bail in a case registered under
Sections 25/26/35 of Arms Act.

It is submitted that as an offshoot of the pending
cases against the petitioner, he has been implicated in this case
falsely alleging recovery of one pistol and four live cartridges
from his possession. It is further submitted that the petitioner has
been remanded in this case on 21.10.2017. It is also submitted
that it is a case of false implication as during the raid, as it appears
from the first information report, one of the Constables suffered
accidental injury. It is also submitted that the seizure is not in
accordance with the procedure prescribed under the Criminal



Procedure Code.

Considering the submissions aforesaid, 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 Chief Judicial Magistrate, Bhojpur, Ara in Udwant Nagar Police Station Case No 330 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)

M.E.H./-

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