

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75987 of 2018

Arising Out of PS. Case No.-28 Year-2018 Thana- SAHJAHANPUR District- Patna

Kaushal Kumar @ Rajesh Kumar, Son of Krishna Chandra Prasad @ Gandhi Ji

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 17-12-2018 Heard learned counsel for the petitioner and learned
APP for the State.

This is a case registered under Sections 25 (1-b)a,
26 of Arms Act.

It submitted that one country made pistol and a live
cartridge are alleged to have been recovered. Petitioner denies
and disputes the recovery as being contrary to the procedure
prescribed for search and seizure. He submits that the petitioner
has falsely been implicated in this case and that he is in custody
since 20.05.2018. It is also submitted that though he is accused
in Shahjahanpur P.S. Case No. 36 of 2014 but in the said case
he is on bail.

In the facts and circumstances of the case, prayer
for bail of the petitioner 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 Vth Additional Chief Judicial Magistrate-cum-Judicial Magistrate 1st Class, Patna City in Shahjahanpur P.S. Case No. 28 of 2018 subject to the conditions :

(i) 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.

(ii) 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)

Prakash/-

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