

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1765 of 2020

Arising Out of PS. Case No.-307 Year-2019 Thana- JHAJHA District- Jamui

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KAMAL VARNWAL @ KAMAL BARNWAL, Son of Jay Narayan Varnwal
Resident of Village - Tilwariya, P.S.- Sono, Distt.- Jamui.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Sinha

For the Opposite Party/s : Mr.Ram Naresh Ray

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 14-01-2020 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 25(1-b)a/26 and 35 of Arms Act.

Informant who is a police officer has alleged that accused Bijay Yadav was going to supply arms and ammunition to another Naxali, Pintu Rana and Bijay Yadav confessed that he along with Naresh Yadav brought three arms and cartridges from Bhairwaghati and handed over the same to Naresh Yadav, who said that same was given to Kamal Varnwal (petitioner) and Tufa Yadav and thereafter petitioner was apprehended and in presence of Bijay Yadav and Naresh Yadav confessed that Tufa Yadav had concealed arms and ammunition in the forest and



thereafter three arms and three cartridges were recovered.

It has been submitted on behalf of the petitioner that he is not engaged in extremist activities and has been falsely implicated in this case. Petitioner is a businessman and runs JCB machine. Petitioner is accused in one case being Sono P.S. Case No.01/18 instituted under different provisions of UAPA Act in which he is on bail. Similarly placed co-accused Bijay Yadav and Naresh Yadav have already been granted bail by the court below itself. Petitioner is in custody since 20.10.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Jhajha P.S. Case No. 307/19 with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case,



prosecution will be at liberty to move for cancellation of
bail of the petitioner.

(S. Kumar, J)

Sanjay/-

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