

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 5964 of 2013

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Ashok Sah, Son of Shiv Lakhan Sah.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH


ORAL ORDER

02. 28.02.2013

Heard learned counsel for the Petitioner and the State.

The Petitioner seeks bail in a case instituted for the offences under Section 414/34 of the Indian Penal Code and Sections 25(1-B) A, 26 and 35 of the Arms Act.

Considering that for recovery of arms Petitioner has remained in custody since 02.08.2012 and his father undertakes his responsibility, let the Petitioner, above named be released on bail on furnishing bail bond of Rs. 5,000/- (Five Thousand) with two sureties of the like amount each or any other surety as fixed by the Court to the satisfaction of concerned Judicial Magistrate, 1st Class, Bagaha, West Champaran in connection with Naurangia P.S. Case No. 21 of 2012 subject to the following conditions:- (i) That one of the bailors shall be local (not professional bailor) since the Petitioner belongs to East Champaran and the other bailor shall be the father of 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 bailor shall also state on



affidavit that he will inform the court concerned if the Petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse. (iii) That the Petitioner will give an undertaking that he will receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse. (iv) 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.

In view of the antecedents of the petitioner, the petitioner is directed to appear before the Superintendent of Police, Bagaha within fifteen days of his release with a copy of this order and every two weeks thereafter for the next six months. The conduct of the petitioner will be kept under watch in this period by the superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the court concerned.

Vikash/-

(Anjana Prakash, J.)