

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21071 of 2015

Arising Out of PS.Case No. -423 Year- 2014 Thana -SIWAN MUFFASIL District- SIWAN

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Shankar Soni @ Shankar Sah son of Subhash Sah resident of village -
Palnagar, P.S. - Siwan Town District - Siwan.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Javed Aslam

For the Opposite Party/s : Mr. Braj Kishore Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-07-2015

Heard learned counsel for the petitioner and the

State.

The petitioner seeks bail in a case instituted

under Sections 399, 402, 414 of the Indian Penal Code and

Sections 25(1-b) a, 26 and 35 of the Arms Act.

It is the case of the prosecution that on secret

information that some miscreants variously armed assembled at

the orchard in order to commit crime, the informant Officer-in-

charge of Mahadewa O.P. along with his police party reached

there and after seeing the police party, all the criminals started

fleeing away and three motorcycles were found in the said

orchard. It is further alleged that three criminals were caught

hold by the police who disclosed their names as Shankar Soni,

the petitioner, Anil Turha and Aftab Alam and on search one

loaded country made pistol with six live cartridges were

recovered from the conscious possession of petitioner and one country made loaded pistol with six live cartridges were recovered from the possession of each of the two other accused persons also. They did not produce any paper regarding the said motor cycle.

On behalf of the petitioner it has been submitted that the petitioner is in custody since 28.9.2014 and charge sheet has been submitted in the case. It has further been submitted that from the possession of the petitioner one country made pistol along with six live cartridges are said to have been recovered. It has further been submitted that the procedure of seizure has not been followed in the present case.

On behalf of the State, it has been submitted that the petitioner is named in the FIR.

Considering the aforesaid facts and circumstances, the above named petitioner is directed to 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 the Chief Judicial Magistrate, Siwan in connection with Siwan Mufassil P.S. Case No. 423 of 2014.

(Sudhir Singh, J)

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