

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44875 of 2015

Arising Out of PS.Case No. -21 Year- 2015 Thana -JAGDISHPUR District- BHAGALPUR

Sunil Pathak S/O Late Ravi Shankar Pathak resident of Mohalla- Marwari
tola, P.S- Kotwali, District- Bhagalpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Davendra Kumar Pandey

For the Opposite Party/s : Mr. U.S.P.Singh(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 21-12-2015 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted under
Section 307 of the Indian Penal Code and 25(1-b) A, 26 and 35 of
the Arms Act.

Allegation against the petitioner is that he along with
other accused persons looted the petrol pump and while fleeing
away, he was apprehended by the police on chase but others
succeeded to escape.

It has been submitted on behalf of the petitioner that he is
in custody since 9.2.2015. Chargesheet has been submitted in the
present case. There is no allegation of tampering of evidence
against the petitioner. As per prosecution case, no one is said to
have been injured in course of the occurrence. From the
possession of the petitioner one country made pistol along with six
live cartridges and one empty cartridge is said to have been
recovered. No compliance under Section 100 of the Code of
Criminal Procedure has been made.

On behalf of the State, it is submitted that petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the above named petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur, in connection with Jagdishpur P.S. Case no. 21 of 2015.

(Sudhir Singh, J)

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