

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42786 of 2015

Arising Out of PS.Case No. -42 Year- 2015 Thana -PARAIYA District- GAYA

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Birendra Kumar son of Sri Judagir Mahto resident of Village - Maniyara,
P.S. - Paraiya, District - Gaya, State - Bihar.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Prithivi Raj Singh

For the Opposite Party : Mr. Ramchandra Singh (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 06-11-2015 Heard the counsel for the petitioner and counsel for the

State.

The petitioner is languishing in jail since 23.05.2015 in
a case instituted under Sections 353, 307 and 414 of the Indian
Penal Code and Section 25(1-b)a, 26 and 27 of the Arms Act.

As per prosecution case, it is a case of planning of loot
to the traders and also some arms and ammunitions were
recovered from the possession of the petitioner

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 23.05.2015. Chargesheet has
been submitted in the case. Petitioner has got no criminal
antecedent. There is no allegation of tampering of evidence
against the petitioner. As per the prosecution case, one country

made pistol and three live cartridges are said to have been recovered from the possession of the petitioner. No compliance of Section 100 of the Cr.P.C. has been followed.

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

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) with two sureties of the like amount each to the satisfaction of Shri Kumar Avinash, Judicial Magistrate, Ist Class, Gaya in connection with Paraiya P.S.Case No.42 of 2015.

(Sudhir Singh, J)

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