

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3726 of 2015

Arising Out of P.S. Case No. - 51 Year- 2014 Thana - MORE District - DARBHANGA

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Abhishek Kumar, Son of Rajeshwar Rai, resident of Village - Paraul
(Pandaul), P.S. - Moro, District - Darbhanga

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

2 29-01-2015 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel appearing on behalf of the
informant.

The petitioner seeks regular bail in Moro P.S. Case
No. 51/2014 registered under Sections 458/380/34 of the Indian
Penal Code and Sections 25(1-b), 26/35 of the Arms Act.

According to the prosecution allegation, the
petitioner was apprehended inside the house of the informant
when the petitioner had entered into the house for committing
theft. From possession of the petitioner, one country-made pistol
was recovered.

Learned counsel for the petitioner submits that from
the side of the petitioner Moro P.S. Case No. 52/14 was registered
under Section 307 and other sections of the Indian Penal Code.

The true facts are that Divya Kumari called the petitioner on the pretext of seeing her maternal-grand-father and thereafter the accused persons brutally assaulted him.

Learned counsel for the informant, on the other hand, vehemently opposed the prayer for bail.

It appears from perusal of the records that the petitioner was apprehended and from his possession, one country-made pistol without any cartridge was recovered. The same was produced before the Officer-in-charge of the concerned Police Station. From the side of the petitioner, a case is lodged stating therein that Divya Kumari called him to see her maternal-grand-father.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri B.K. Singh, Judicial Magistrate, 1st Class, Darbhanga in Moro P.S. Case No. 51 of 2014, corresponding to G.R. No. 3815/14.

(Prabhat Kumar Jha, J)

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