

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.39813 of 2015

Arising out of PS.Case No. -112 Year- 2015 Thana -LALGANJ District- VAISHALI(HAJIPUR)

Sanjeet Kumar, S/o-Dilip Kumar Gupta, Resident of Village- Salempur,
P.S.- Lalganj, District- Vaishali.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Anish Chandra, Advocate.

For the Opposite Party : Mr. Sanjay Kr.Sharma(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 13-10-2015 Heard learned counsel for the petitioner and learned
counsel for the State

The petitioner is languishing in custody since 06.05.2015
in connection with Lalganj P.S. Case No.112 of 2015 for the
offences instituted under Sections 25(1-b)a, 26, 27 and 35 of the
Arms Act.

The prosecution story, in brief, is that on 05.05.2015 at
about 8.30 P.M. when the informant was returning from
purchasing house hold-articles on the village shop towards his
house talking over his mobile. In the meantime, three motorcycles
borne miscreants reached there and one of them snatched his
mobile and another one fired and thereafter they gave a pistol butt
blow over his head thereby severely injuring him. He raised hullah
at which the nearby persons assembled there and caught the three

miscreants after chasing them who discloses their name as Sanjit Kr. Bipul Kr. and Raushan Kumar. It is further alleged that from possession of Bipul Kr., a country made pistol with the live cartridge was recovered. All the miscreants were traced by the villagers with slaps and fists and the informant was brought to Government Hospital for treatment.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. The petitioner is in custody since 06.05.2015 and the charge sheet has been submitted in the case. There is no allegation of tampering with the evidence against the petitioner. The petitioner has been made accused in the present case due to mistake of fact. There is no recovery of any arms from possession of the petitioner. The other co-accused has been granted bail by this Court vide Cr. Misc. No. 40361/2015.

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

Considering the aforesaid facts and circumstances, let the petitioner above named, 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 learned C.J.M., Vaishali at Hajipur, in connection with Lalganj P.S. Case No. 112/2015.

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(Sudhir Singh, J)