

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43485 of 2015

Arising Out of PS.Case No. -295 Year- 2015 Thana -SASARAM MUFFSIL District- SASARAM
(ROHTAS)

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Lalan Singh Son of Motilal Singh Resident of Village - Thelabad Nawadih,
P.S.- Rohtas, District - Rohtas at Sasaram

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Sada Nand Ray

For the Opposite Party : Mr. Chandra Bhushan Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 10-11-2015 Heard the counsel for the petitioner and counsel for the

State.

The petitioner is languishing in jail since 25.04.2015 in
a case instituted under Sections 147, 148, 149, 353, 307, 384, 385,
386 of the Indian Penal Code and Sections 25(1-B)A, 26, 27 and
35 of the Arms Act as well as Sections 3/4 of the Explosive
Substance Act and Section 17 of the CLA Act.

As per allegation, it is a case of recovery of some
arms and ammunition from the possession of the petitioner.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 25.04.2015. Chargesheet has
been submitted in the case. There is no allegation of tampering of
evidence against the petitioner. Petitioner has falsely been

implicated in the present case. As per the prosecution case, one country made pistol along with one live cartridge is said to have been recovered from the possession of the petitioner. No compliance of section 100 of the Cr.P.C. has been followed. No specific allegation has been made against the petitioner. It is further submitted that the petitioner may be released after completion of nine months in custody from 25.04.2015.

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

Considering the aforesaid facts and circumstances, it is directed that the petitioner be released after completion of nine months in custody from 25.04.2015 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction learned CJM, Rohtas at Sasaram in connection with Sasaram Mufasil o P.S.Case No.295 of 2015.

(Sudhir Singh, J)

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