

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16348 of 2015

Arising Out of PS.Case No. -36 Year- 2012 Thana -RIGA District- SITAMARHI

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1. Mohan Baitha S/o Shri Raj Mangal Baitha, Resident of Village- Bhorha,
Tola - Veerta, P.S. - Riga, District - Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Virendra Kumar

For the Opposite Party/s : Mrs. Renu Kumari (APP)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-06-2015

Heard learned counsel for the parties.

The petitioner seeks his bail in Riga P.S. Case No.36 of 2012 registered under Sections 399, 402 of the Indian Penal Code and Sections 25 (1B)A, 26 (ii) and 35 of the Arms Act.

The allegation against the petitioner is that he along with other accused persons was taking liquor and planning to commit crime and on raid one co-accused apprehended, who disclose his name.

It has been submitted on behalf of the petitioner that on raid, whatever arms were recovered, were recovered from the possession of co-accused Sanjivan Mahto. As far as the petitioner is concerned, it is submitted that no arms has been recovered from his possession and the offence of Arms Act is not attracted against him. The petitioner is in custody since 17.8.2012. It is further submitted that the other co-accused Sanjivan Mahto has been granted bail by this court vide Cr.Misc.No.48283 of 2012.

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

Considering the facts aforesaid, the petitioner, named above, is directed to 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 Chief Judicial Magistrate, Sitamarhi in connection with Riga P.S.Case No.36 of 2012.

(Sudhir Singh, J)

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