

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38794 of 2015

Arising Out of PS.Case No. -160 Year- 2015 Thana -TEKARI District- GAYA

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Mukesh Kumar, S/o- Ashwani Paswan, R/v- Ranibigha, P.S.- Tekari
Panchanpur, Distt.- Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Vijay Kumar Sinha

For the Opposite Party : Mr. Suresh Pd.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 29-10-2015 Heard the counsel for the petitioner and counsel for the

State.

The petitioner is languishing in jail since 14.05.2015 in
a case instituted under Section 414 of the Indian Penal Code and
Sections 25(1)(b)(A) and of the Arms Act.

As per prosecution case, 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 14.05.2015. Chargesheet has
been submitted in the case. There is no allegation of tampering of
evidence against the petitioner. As per the prosecution case, two
country made pistols and seven 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. Petitioner has falsely been implicated in the present case. It is further submitted that the petitioner may be released after completion of six months in custody from 14.05.2015.

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 six months in custody from 14.05.2015 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction Sri Gigar Sah, Judicial Magistrate, Ist Class, Gaya in connection with Tekari (Panchanpur) P.S.Case No.160 of 2015, G.R.No.2214 of 2015.

(Sudhir Singh, J)

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