

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37086 of 2015

Arising Out of PS.Case No. -34 Year- 2015 Thana -WARSALIGANJ District- NAWADA

1. Mukesh Kumar Mahto @ Mukesh Kumar son of Amirak Prasad alias Amirak Mahto, Resident of village Loharpura P.S. Kadirganj (O.P.) Nawadah, District Nawadah.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s Mr. Raj Kishore Singh(App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

02/ 03.09.2015 Heard learned counsel for the petitioner as well as learned Addl. Public Prosecutor for the State.

It would appear that the petitioner was arrested in connection with Warisaliganj P.S. Case no. 31/2015 and made his confessional statement leading to recovery of one county made pistol and three live cartridges near railway gumti. It further appears that the aforesaid arms had been used in commission of murder of one Swarnkar.

Petitioner is in jail custody since 24.4.2015 and admittedly, the aforesaid recovery has not been made from conscious possession of the petitioner. It is also apparent from the record that according to the prosecution case itself, petitioner was arrested on 10.2.2015 and the above stated recovery was made on the same day but the impugned order of learned Sessions Judge reveals that he was remanded in the present case on 24.4.2015.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Nawadah in Warisaliganj P.S. Case no. 34/2015.

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(Hemant Kumar Srivastava,J)

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