

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13017 of 2016

Arising Out of PS.Case No. -328 Year- 2015 Thana -NOORSARAI District- NALANDA
(BIHARSHARIFF)

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1. Munna Raut, Son of Surendra Raut, Resident of Village- Sherpur, P.S.-
Noorsarai, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nilesh Kumar

For the Opposite Party/s Mr. Lalan Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02/ 31.03.2016 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Petitioner seeks bail in a case registered under section 307,
160 of the Indian Penal Code as well as sections 25 (I-B) a, 26, 35 of
the Arms Act.

Petitioner was caught on the spot and one country made
loaded pistol is said to have been recovered from his conscious
possession whereas two empty cartridges were recovered from the
place of occurrence.

It is alleged that police party reached at the place of
occurrence when cross-firings were going on between the petitioner
and others. Petitioner does not have any criminal antecedent and is
languishing in jail custody since 25.11.2015.

The contention on behalf of the petitioner is that story of
firing is not attributed against the petitioner because no empty

cartridge was found from conscious possession of the petitioner whereas one country made loaded pistol is said to have been recovered from conscious possession of the petitioner and the aforesaid fact goes to show that the petitioner had not made firing.

Considering the aforesaid facts and circumstances as well as submissions of the parties and also taking note of the period of detention of the petitioner in jail custody, 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, Nalanda at Biharsharif in Noorsarai P.S. Case no. 328/2015.

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(Hemant Kumar Srivastava,J)

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