

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29028 of 2016

Arising Out of PS.Case No. -479 Year- 2015 Thana -PATLIPUTRA District- PATNA

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Abhishek Kumar @ Shankarba S/o Late Roop Narayan Yadav @ Reepu Rai, aged about 25 years, Resident of Village- Barisaman, P.S.- Shahpur, District- Bhojpur at Arra, at present Jay Prakash Nagar, Nalapar, P.S. Rajeev Nagar, Distt. Patna

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Sinha, Advocate

For the Opposite Party/s : Mr. Sakir Ahmad, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 01-09-2016 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the offences under Sections 413, 414, 401/34, 120B of the I.P.C. and Sections 25(a-b)/26/35 of the Arms Act.

The prosecution story, in brief, is that on the alleged date and time of occurrence the informant along with other police personnel during course of patrolling party saw two motorcycles borne four miscreants coming rashly who were given signal to stop, but they tried to flee away. On chase they were apprehended and they disclosed their names as Abhishek Kumar i.e. the petitioner, co-accused Ashish Kumar, Sushant Kumar and Sachin Kumar and from possession of the petitioner one loaded country

made pistol was recovered.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 16.12.2015 and the charge sheet has been submitted in the present case. There is no allegation of tampering of witnesses alleged against the petitioner. From the possession of the petitioner one country made pistol along with two cartridges is said to have been recovered. There is no compliance of Section 100 of the Cr.P.C.

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

Considering the aforesaid facts and circumstances, it is directed that the petitioner above named 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 learned Chief Judicial Magistrate, Patna in connection with Patliputra P.S. case No.479 of 2015.

(Sudhir Singh, J)

Narendra/-

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