

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36749 of 2016

Arising Out of PS.Case No. -6 Year- 2016 Thana -SAMHO District- BEGUSARAI

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1. Vijay Singh @ Vija Son of Upendra Singh Resident of Village - Bijuliya,
P.S. - Samho, District - Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur

For the Opposite Party/s : Mr. Anil Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 09-09-2016

This matter has been listed under the heading “To Be
Mentioned” on the basis of mention slip, filed on behalf of the
petitioner.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Section 414 of the Indian Penal Code
and Sections 25(1-a), 26(iii) of the Arms Act.

Petitioner and one Tuntun Kumar Singh were
apprehended and 73 pieces of live cartridges were recovered from
possession of co-accused, Tuntun Kumar Singh whereas 40 pieces
of live cartridges were recovered from conscious possession of the
petitioner. Subsequently, on the basis of disclosure made by the

petitioner and above stated co-accused, one Ram Ekbal Chaudhary was arrested and country made pistol was recovered from his conscious possession.

It would appear that co-accused, Ram Ekbal Chaudhary was granted bail by a co-ordinate Bench of this court vide order dated 17.08.2016 passed in Cr. Misc. No. 32070 of 2016 and similarly, co-accused, Tuntun Kumar Singh was granted privilege of bail by another Bench of this court vide order dated 20.08.2016 passed in Cr. Misc. No. 34913 of 2016. Although, while granting bail to co-accused, Tuntun Kumar Singh, it was observed by the concerned Bench that only one cartridge was recovered from possession of aforesaid co-accused but it appears that the same is nothing but only a typing mistake.

However, considering the aforesaid facts and circumstances as well as period of detention of the petitioner in jail custody, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Sub Divisional Judicial Magistrate, Begusarai in connection with Samho P.S. Case No. 06 of 2016.

(Hemant Kumar Srivastava, J)

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