

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47938 of 2016

Arising Out of PS.Case No. -2 Year- 2016 Thana -PAUTHU District- AURANGABAD

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MRITUNJAY MISHRA @ Mirtunjay Mishra S/o Late Bindeshwar Mishra
R/o village - Misir Bigha, P.S. Pauthu, District - Aurangabad

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh

For the Opposite Party/s : Mr. Sri Kumar Virendra Narayan

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 17-11-2016 Heard Mr. A.K. Singh for the petitioner and Mr.
Ramchandra Singh, APP for the State.

The petitioner is in custody since 16.05.2016 in connection with Pauthu P.S. Case No.02 of 2016 registered under section 386 IPC and diverse penal provisions of the Arms Act.

The Station House Officer of the police station lodged the case alleging that on a confidential information he raided an orchard and arrested one Shridhar Pathak. One person, however, escaped therefrom. On the confessional statement of Shridhar Pathak, the name of the petitioner and two others transpired. It is alleged that they had assembled to execute the terrorist activity/action.

The contention of the petitioner is that he was not arrest

on the spot and only in the confessional statement of one co-accused his name transpired.

Learned APP opposed the prayer and submitted that on the basis of the confessional statement certain fire-arms were recovered. The petitioner is accused of more than 02 dozen of criminal cases, some of which are of identical nature.

Looking to the allegations and other materials available on record, this Court, for the present, is not inclined to grant bail to the petitioner. Prayer is accordingly rejected.

If the trial does not record adequate progress within six months from the date of receipt/communication of this order, the petitioner shall have liberty to renew his prayer for bail in the court below itself which shall be disposed of in accordance with law.

(Kishore Kumar Mandal, J)

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