

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37010 of 2016

Arising Out of PS.Case No. -1250 Year- 2015 Thana -SASARAM MUFFSIL District- SASARAM
(ROHTAS)

=====

Mithilesh Singh @ Mithlesh Singh @ Mithlesh, Son of Sukhan Singh,
resident of Village- Chintawanpur, P.S.- Sasaram, District- Rohtas.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Deepak Kumar

For the Opposite Party/s : Mr. Shantanu Kumar

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

4 25-10-2016 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-B)a, 26, 35 of the Arms Act.

Earlier the prayer for bail of the petitioner was
rejected by a co-ordinate bench of this court vide order dated
01.04.2016 passed in Cr. Misc. No. 13266 of 2016 but petitioner is
in jail custody since 08.11.2015 on the accusation that one country
made loaded pistol and five cartridges were recovered from his
conscious possession when he and others were caught by the
police carrying two persons in a Scorpio vehicle.

The court below has reported that charge against the petitioner was framed on 24.05.2016 and summons and other process have been issued to procure the attendance of prosecution witnesses. The report of court below goes to show that up till now, not a single prosecution witness has been examined.

Submission on behalf of the petitioner is that other accused have already been granted privilege of bail but since petitioner had been made accused in some other cases, that is the reason the police implicated the petitioner by placing illegal firearm.

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/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Sasaram in connection with Sasaram (M) P.S. Case No. 1250 of 2015.

(Hemant Kumar Srivastava, J)

SHAHZAD/-

U		T	
---	--	---	--