

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.37822 of 2016

Arising Out of PS.Case No. -387 Year- 2011 Thana -KATIHAR District- KATIHAR

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Prince Kumar @ Madhweshwar @ Prince, Son of late Manoj Kumar,
Resident of Village and P.O. Sarhachia, PS Aurai, District Muzaffarpur,.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : M/S. Ajay Kr. Thakur, Nilesh Kumar and
Shashank Shekhar Advocates.

For the Opposite Party : Mr. Parmeshwar Mehta, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 15-12-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Katihar Town (Sahayak) P.S. Case No. 387 of 2011 for the
offences instituted under Sections 25(1-B)a, 26 and 35 of the
Arms Act.

The prosecution story, in brief, is that the informant got
information that some miscreants fired upon the father-in-law's
house of the Secretary of LOJPA. The informant and others went
there. He saw that co-accused Rajesh Singh and others with pistol
and dagger came and fired over the Secretary of LOJPA and his
son-in-law. Co-accused Hira Kumar caused injury by dagger to



him. Rajesh Singh was called by Hira Kumar. Thereafter, they fled away. The informant and others chased and caught the miscreant. Then they recovered two alive cartridges .315 bore and dagger from his pant and hand. The miscreant disclosed his name as Hira Kumar @ Ranjan Kumar and also disclosed that the arms have been given by Rajesh Singh and also he stated that the rest miscreants have fled away.

It has been submitted on behalf of the petitioner that the petitioner has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. For political reason, he has been made accused in the present case. He is not named in the FIR. His name has transpired on the basis of confessional statement of Bittu Singh. No arms have been recovered from conscious possession of the petitioner.

On behalf of the State, it has been submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Katihar Town (Sahayak) P.S. Case No. 387/2011 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each



to the satisfaction of the learned C.J.M., Katihar, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

