

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.23536 of 2016

Arising out of PS.Case No. -1 Year- 2016 Thana -TIKAPATTI District- PURNIA

Md. Javed @ Jabir Nadaf @ Md. Jabir @ Javed Nadaf, Son of Qyum @ Md. Qyum Nadaf, resident of village- Jave Kushaha, Police Station- Bhawanipur in the district of Purnea.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Raj Kumar, Advocate.

For the Opposite Party : Mr. R.P.S.Singh (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 24-08-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 16.01.2016 in connection with Tikapatti P.S. Case No. 01 of 2016 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 caught hold of two persons. The petitioner was apprehended but another person fled away. He also disclosed the name of fled person. On search, one loaded country made pistol and five live cartridges were recovered. Two country made pistols were also recovered from the bag which was thrown by fled person. No

paper was produced with regard to recovered articles by the petitioner.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 16.01.2016 and the charge sheet has been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioner. As per prosecution case, one loaded country made pistol and five live cartridges are said to have been recovered from possession of the petitioner. There is no compliance of Section 100 Cr. P.C.

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

Considering the aforesaid facts and circumstances, let 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 the learned J.M. Ist Class, Purnea, in connection with Tikapatti P.S. Case No. 01 of 2016 (G.R. No. 186 of 2016).

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(Sudhir Singh, J)