

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24173 of 2016

Arising Out of PS.Case No. -32 Year- 2016 Thana -PIRBAHOR District- PATNA

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Chhotu @ Pravin Kumar Son of Krishna Prasad, resident of Village-
Sadarpur, Police Station- Bind, District- Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2, Advocate

For the Opposite Party/s : Mr. Aditya Nr. Singh 1, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 24-08-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since
31.01.2016 in connection with Pirbahore P.S. Case No. 32 of
2016 for the offences instituted under Sections 395 of the IPC
and 25(1-B) A, 26 and 35 of the Arms Act.

The prosecution story, in brief, is that on the alleged
date and time of occurrence, the informant was preparing the
food in his kitchen. In the meantime, five miscreants came to him
and pointed pistol on the informant and told that if any, make
noise then he will be killed and two persons gone to the father of
the informant and taped the mouth and snatched the gold chain of
the father of the informant and one person given the knife blow



on the neck of the servant. In the meantime, the informant snatched the pistol from the miscreant and taken bullet from the pistol and started make a noise. On noise, all the accused tried to flee away and in course of fleeing, two miscreants were caught hold by the Mohalla people and on asking he disclosed their names as mentioned in the F.I.R. and also disclosed the name who fled away from the place of occurrence and in the meantime, the police arrived and the Mohalla people handed over the petitioner along with arms and ammunition.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 31.01.2016 and the charge sheet has been submitted in the present case. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been made an accused due to business rivalry. No arms are said to have been recovered from possession of the petitioner. No looted articles are said to have been recovered from possession of the petitioner. It is further submitted that the petitioner may be released on bail after completion of one year in custody from 31.01.2016. Other co-accused has been granted bail vide Cr.Misc.No.21513 of 2016.

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

Considering the aforesaid facts and circumstances, it is directed that the petitioner above named be released on bail after completion of one year in custody since 31.01.2016 on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Patna in connection with Pirbahore P.S. Case No.32 of 2016.

(Sudhir Singh, J)

Narendra/-

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