

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.17544 of 2016

Arising out of PS.Case No. -715 Year- 2015 Thana -LAKHISARAI District- LAKHISARAI

Niranjan Saw, Son of Dular Saw Resident of Village : - Ram Nagar (Mankattha), P.S. + District : - Lakhisarai.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner : Mr. Ambika Bhagat, Advocate.

For the Opposite Party : Mr. B.M.P.Sinha(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 24-05-2016 Heard learned counsel for the petitioner and learned counsel for the State..

The petitioner is languishing in custody since 09.11.2015 in connection with Lakhisarai P.S. Case No. 715 of 2015 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 received secret information that the notorious criminal Niranjan Saw and other miscreants were making planning to commit offence at a Mill of Kapil Saw. On direction of senior officers, the raiding party was constituted and made raid to that place. On seeing the raiding party, the miscreants started to flee away. Two of them were caught and disclosed their names as Niranjan Saw

and Karan Mandal. On search, a loaded country made pistol from his waist and live cartridge from his Full pant were recovered. A loaded country made pistol was also recovered from waist of Karan Mandal.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 09.11.2015 and the charge sheet has been submitted in the present case. The petitioner has falsely been implicated in the present case. As per the prosecution case, one loaded country made pistol and live cartridge are said to have been recovered from possession of the petitioner. No compliance of Section 100 Cr.P.C. has been followed.

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 C.J.M., Lakhisarai in connection with Lakhisarai P.S. Case No. 715/2015.

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(Sudhir Singh, J)