

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.18435 of 2016

Arising out of PS.Case No. -760 Year- 2015 Thana -KOTWALI District- PATNA

Vijay Choudhary, Son of Manoj Choudhary @ Laddu Choudhary, resident of Village Chilmilli, Police Station- Beur, District- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

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

For the Opposite Party : Mr. Manoj Kumar 1(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 25-05-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 22.02.2016 in connection with Kotwali P.S. Case No. 760 of 2015 for the offences instituted under Sections 401, 414 and 34 of the IPC and 25(1-b) a, 26 and 35 of the Arms Act.

The prosecution story, in brief, is that on 19.12.2015 on secret information, the informant caught hold two persons, namely Pankaj Kumar and Dhananjay Kumar. After that on their confession, two persons, namely, Gopal Kumar Mishra and Shashi Singh have also been arrested from a room. Several articles including one country made pistol were recovered from the room.

It has been submitted on behalf of the petitioner that the

petitioner is in custody since 22.02.2016 and the charge sheet has been submitted in the present case. The petitioner has been made accused in the present case on the basis of the confessional statement of the co-accused. There is no recovery of any arms 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 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., Patna, in connection with Kotwali P.S. Case No. 760 of 2015.

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(Sudhir Singh, J)