

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29458 of 2016

Arising Out of PS.Case No. -42 Year- 2016 Thana -KARJAIN District- SUPAUL

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1. Himanshu Kumar @ Bittu Son of Khargnath Mishra, Resident of
Mohalla- Gautam Nagar, Gangjala, Ward No. 15, P.S.+ District- Saharsa

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. Sri Surendra Kumar

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 27-07-2016 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner is in jail custody since 12.05.2016 on the
accusation that one country made loaded pistol and three live
cartridges were recovered from his conscious possession. Para-3 to
the petition goes to show that earlier petitioner was made accused
in two cases but both the aforesaid cases had been lodged under
bailable sections except Saharsa P.S.Case No. 848 of 2014 in
which section 27 of the Arms Act was also added.

Submission on behalf of the petitioner is that on the
alleged date of occurrence, petitioner took lift from co-accused
Sonu Singh but while Sonu Singh along with petitioner and one
another were going by motorcycle, they were intercepted and

caught by the police and, thereafter, police planted firearms and send the petitioner and others to jail. It is further submitted that the aforesaid Sonu Singh sent a petition from jail to the court of Additional chief Judicial Magistrate, Birpur, mentioning innocence of the petitioner.

Accordingly, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Birpur (Supaul) in connection with Karjain P.S.case No. 42 of 2016.

(Hemant Kumar Srivastava, J)

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