

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29914 of 2016

Arising Out of PS.Case No. -252 Year- 2015 Thana -KOTWALI District- MUNGER

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Mantu Choudhary Son of Sukhlal Choudhary, resident of Phalwanwada,
P.S.- Ghoshi Railway Station, District- Wardhwan (West Bengal)

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Renuka Sharma, Advocate

For the Opposite Party/s : Mr. Satyadev Prasad Singh Yadav, Advocate

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 07-09-2016 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the offences under Sections 25(1-b)A, 25(1-AA), 26(i)(ii) and 35 of the Arms Act.

Accusation against the petitioner is that he along with one Ripun Mistry was caught red handed at the spot while they were engaged in sale and purchase of illegal fire arms. On search from the possession of the petitioner two 9 MM pistols, two magazines and one Samsung mobile were recovered and seizure list was prepared.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 12.11.2015 and the charge sheet has been submitted in the present case. The petitioner has got no

criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. As per the prosecution case, two pistols along with two magazines are said to have been recovered from the possession of the petitioner. There is no compliance of Section 100 of the Cr.P.C.

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 on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Munger in connection with Sessions Trial No.47 of 2016 arising out of Kotwali P.S. case No.252 of 2015.

(Sudhir Singh, J)

Narendra/-

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