

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26526 of 2016

Arising Out of PS.Case No. -690 Year- 2015 Thana -SIWAN CITY District- SIWAN

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Jitendra Kumar Soni @ Jarlahwa, son of Mahavir Soni, Resident of
Village- Nirala Nagar, P.S.- Siwan Town, District- Siwan.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Karandeep Kumar, Advocate.

For the Opposite Party/s : Mr. Sri Bharat Lal, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 26-08-2016 Heard learned counsel for the petitioner and learned counsel
for the State.

The petitioner is languishing in custody since 27.12.2016 in
connection with Siwan Town P.S. Case No. 690 of 2015 registered
for offences under Sections 25(1-b)a/26 and 35 of the Arms Act.

The prosecution story, in brief, is that on 26.12.2015 at
about 9.30 P.M, informant made self statement alleging therein
that he reached the place of occurrence upon hearing of alleged
firing. He saw that after seeing the police party, two persons were
fleeing away. It has been alleged that the police caught one person
who is petitioner. From possession of the petitioner a country
made loaded pistol and two live cartridges were recovered.
Accordingly, the seizure list was prepared.

On behalf of the petitioner, it is submitted that the petitioner is in custody since 22.10.2015. Charge-sheet has been submitted in the present case. There is no allegation of tempering of witnesses alleged against the petitioner. As per prosecution case, one country made pistol along with two live cartridges are said to have been recovered from the possession of the petitioner. There is no compliance of Section 107 Cr.P.C.

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 Chief Judicial Magistrate, Siwan in connection with Siwan Town P.S. Case No. 690 of 2015.

(Sudhir Singh, J)

Prakash/-

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