

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26638 of 2016

Arising Out of PS.Case No. -5 Year- 2016 Thana -GARKHA District- SARAN

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Dilip Manjhi @ Dilip Kumar son of Musafir Manjhi, resident of village -
Mubarakpur, P.O. Garkha, P.S. Garkha, District - Saran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Smt. Sahin Begam, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 29-08-2016

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case instituted for the
offences under Sections 25(1-b)a/26/35 of the Arms Act as well as
Section 17 of C.L.A. Act and Sections 10, 13, 16, 17, 18, 20 of the
U.P.P.A. Act.

The prosecution story, in brief, is that on 5.1.2016 on
secret information that at village Mubarakpur in the house of Dilip
Manjhi some moist the informant, who is S.I.-cum-S.H.O. of
Garkha P.S., he and other police officials came there and saw five
persons were sitting in the room in suspicious condition.
Thereafter the police search their bodies and during search they
found country made pistol and .315 bore cartridge and one mobile
and two naxlite pumplet from waist of Dilip Manjhi and some
country made pistols and mobiles were also recovered from the

possession of other co-accused.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 6.1.2016 and the charge sheet has been submitted in the present case. There is no allegation of tampering of witnesses alleged against the petitioner. One country made loaded pistol and two live cartridges are said to have been recovered from the possession of the petitioner along with some literature of Naxals. 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 A.C.J.M. Vth, Saran at Chapra in connection with Garkha P.S. case No.05 of 2016 with the condition that the petitioner shall be present on each and every date fixed in the court below.

(Sudhir Singh, J)

Narendra/-

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