

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36487 of 2016

Arising Out of PS.Case No. -37 Year- 2016 Thana -KHUSRUPUR District- PATNA

Santosh @ Santosh Kumar @ Sanjay Kumar @ Balmiki Prasad, Son of Late Birendra Prasad, Resident of Village:- Khidarchak, Police Station:- Rahui, District:- Nalanda, [Address wrongly stated in F.I.R.], Resident of Village:- Pachrukha, Police Station:- Khushrupur, District:- Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Sri Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 07-09-2016 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Khushrupur P.S. Case No. 37 of 2016 registered under Sections 25(1-b)(a) and 26 of the Arms Act.

The accusation is that informant along with other police officials reached at the Sasural house of petitioner for apprehending him, in connection with Khushrupur P.S. Case No. 36 of 2016, but the petitioner was found absent. On search, two live cartridges were recovered from beneath the bed in a room of the Sasural house of the petitioner.

Learned counsel for the petitioner submits that it

would appear from the F.I.R. that two live cartridges are said to be recovered from the Sasural house of the petitioner not the house of the petitioner. It is further submitted that, in fact, petitioner executed the sale deed on 17.12.2014 of part of land of Khasra No. 208, Khata No. 133 of Village Kasimpur, P.S. Khushrupur in favour of Usha Devi, wife of the informant, who is the officer-in-charge of Khushrupur Police Station and now the informant used to give pressure to change the area of the land as executed in the sale deed but the petitioner was not ready due to that reason this false case has been lodged.

Considering the aforesaid submissions, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the J.M. Ist Class-cum-Munsif-IV, Patna City, in connection with Khushrupur P.S. Case No. 37 of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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