

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28135 of 2016

Arising Out of PS.Case No. -495 Year- 2015 Thana -SIKARPUR District-
WESTCHAMPARAN(BETTIAH)

=====

Ajit Prasad, son of Late Yadolal Prasad, Resident of Village- Ramnagar,
Chota Bankat, P.S.- Majhauria, District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Akhileshwar Kumar Shrivastva, Advocate

For the Opposite Party/s : Smt. Veena Rani Prasad, APP

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 31-08-2016

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, 26 and 35 of the Arms Act.

The prosecution story, in brief, is that on 30.11.2015 at 5.30 P.M. while the informant along with other police force was on patrolling duty and reached near village Tedi Kuiya and saw one vehicle bearing registration No.BR-22P-4264, who was coming from ahead, got down in ditch and from said vehicle three persons were trying to escape, upon which the police party caught hold two culprits whereas one managed to escape due to darkness. Then one person came and claims to be owner/driver of the vehicle, who told the informant that three culprits had taken his vehicle on hire for Rs.300/- but they on the point of gun snatched his vehicle. The apprehended accused disclosed their name as petitioner and one Anwar Ansari. On search one country made

pistol was recovered from the possession of the petitioner and one live cartridge and one knife was recovered from Anwar Ansari. Thereafter a seizure list was prepared and the accused was arrested.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 30.11.2015 and the charge sheet has been submitted in the present case. There is no allegation of tampering of witnesses alleged against the petitioner. One loaded country made pistol is 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 learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Shikarpur P.S. case No.495 of 2015.

(Sudhir Singh, J)

Narendra/-

U		T	
---	--	---	--