

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51461 of 2016

Arising Out of PS.Case No. -47 Year- 2016 Thana -EAST COLONY District- MUNGER

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1. Shashikant Kumar S/o Kameshwar Yadav Aged ...years, R/o Raithaitha,
P.S. Haweli Kharagpur, District Munger.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashwani Kumar Sinha, Advocate

For the Opposite Party/s : Mr.i Ram Sevak Choudhary, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 05-12-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
02.10.2016 in connection with East Colony P. S. Case No. 47 of
2016 registered for the offence punishable under Sections 399,
402 I.P.C. and sections 25 (1-b)a, 26 (i) (ii)/35 Arms Act.

The prosecution case as lodged by the police is that
on secret information, five persons were apprehended out of which
two persons fled away and three including the petitioner was
caught by the police. On search, in the pocket of other co-accused,
some country made pistols and live cartridges were found whereas
from the pocket of the petitioner, two mobile phones were
recovered.



It has been submitted that the petitioner is innocent and has been falsely implicated in the aforesaid case and has no criminal history. It is further submitted that no case under the Arms Act is made out against him as only two mobile phones have been recovered and nothing incriminating has been found from his possession. It is further submitted that charge sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, since charge sheet has already been submitted, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate- IV, Munger in connection with East Colony P.S.Case No. 47 of 2016.

(Nilu Agrawal, J)

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