

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 43142 of 2016

Arising Out of PS.Case No. -50 Year- 2016 Thana -MAKER District- SARAN

Ambika Mahto Son of late Jaga Mahto Resident of Village- Badhichak
Dihi, P.S. Maker, District Saran at Chapra.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Bindhyachal Singh
Mr. Ram Binod Singh
For the Opposite Party/s : Mr. Shailendra Kumar -1

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3. 24-10-2016 Heard Sri Bindhyachal Singh, learned counsel, who
was assisted by Sri Ram Binod Singh, learned counsel for the
petitioner and Sri Shailendra Kumar-I, learned Addl. Public
Prosecutor.

The sole petitioner, who is in custody since
03-05-2016 in Maker P.S. Case No. 50 of 2016 registered for
offence under Sections 386, 387, 399, 402, 120(B) of the Indian
Penal Code, Section 25(1-b), 26, 35 of the Arms Act, 1959,
Section 4 & 5 of the Explosives Substances Act, 1908 and
Sections 16(1)B, 17, 18, 18(A), 19, 20, 38, 39 and 40 of Unlawful
Activities (Prevention) Act, 1967, has prayed for grant of bail.

Learned counsel for the petitioner submits that it was
alleged that from the field of the petitioner, arms were recovered

and petitioner was engaged to watch the arms. Only on this allegation, the petitioner has been made accused, whereas, learned Addl. Public Prosecutor, opposing the prayer for bail, submits that day before yesterday (i.e. 22-10-2016), prayer for bail of one of the co-accused namely Shambhu Singh was rejected by this Court, vide Cr. Misc. No. 40876 of 2016, against whom, there was accusation that he was acting as a middle-man in collecting the ransom amount from the general public and he was handing over to the members of *Moist Group*. He further submits that after noticing police party, about 15 accused persons of a particular organization started fleeing away, amongst them, three persons were arrested and on their disclosure, from the field of the petitioner, huge quantity of arms and ammunitions were recovered, including a pressure-cooker bomb.

Keeping in view the seriousness of the accusation, I am not inclined to extend the privilege of bail.

Dismissed.

(Rakesh Kumar, J.)

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