

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19688 of 2016

Arising Out of PS.Case No. -16 Year- 2016 Thana -DERNI District- SARAN

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Anil Ray, S/o Late Baidhya Nath Roy, R/o village- Narayanpur, P.S.-
Garkha, District- Saran.

... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar

For the Opposite Party/s : Mr. Dashrath Mehta, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 11-05-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner is accused in connection with DERNI
P.S. Case No. 16 of 2016, registered under Sections 341, 323
and 307 of the Indian Penal Code and Section 25(1-b) a, 26 and
27 of the Arms Act.

The accusation is that in course of returning of the
informant on motorcycle, on the way, this petitioner stopped him
on the point of pistol then informant also fired through his
country made pistol. On hearing the sound of firing villagers
rushed there and at that time, DERNI Police jeep also reached
there and this petitioner was found in possession of country
made pistol. The cause of occurrence is said to be of old murder
case.

Learned counsel for the petitioner submits that it would appear from the F.I.R. that the said firing was made by the informant not by this petitioner and petitioner has falsely been implicated by the informant showing the recovery of the country made pistol. Further submission is that as per the information given by the Pairvikar, petitioner having no criminal antecedent is in custody since 08.02.2016.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate-VII, Saran, Chapra in connection with Derni P.S. Case No. 16 of 2016. Out of two sureties, one surety must be the parents / close relative of the petitioner, who will file an affidavit showing his relation with the petitioner.

(Rajendra Kumar Mishra, J)

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