

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33198 of 2016

Arising Out of PS.Case No. -120 Year- 2015 Thana -BISHUNPUR District- DARBHANGA

=====

Anand Pathak Son of Late Harishankar Pathak, resident of Village- Baghla,
P.S.- Bishanpur, District-Darbhangha

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

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

For the Opposite Party/s : Smt. Reena Sinha, APP

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 20-09-2016 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the
offence under Sections 25(1-b)a, 26 of the Arms Act.

The prosecution case, in short, is that on 31.12.2015
at 6.10 A.M. the informant received a secret information that a
miscreant Anand Pathak was moving towards Taralahi-Simri
road, upon which the informant along with other police personnel
rushed there and when he reached near Kelwagachhi, he saw a
person after seeing the police party began to flee away but after
chase he was caught and on search the police recovered a pistol
with six live cartridges and a mobile from his possession.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 01.01.2016 and charge sheet has

been submitted in the present case. There is no allegation of tampering of witnesses alleged against the petitioner. One country made pistol along with six live cartridges are said to have been recovered from the possession of the petitioner. There is no compliance of Section 100 of the Cr.P.C. It is further submitted that the petitioner may be released after completion of one year in custody from 01.01.2016.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the above named petitioner be released on bail after completion of one year in custody from 01.01.2016 on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Darbhanga in connection with Bishanpur P.S. case No.120 of 2015.

(Sudhir Singh, J)

Narendra/-

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