

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39210 of 2016

Arising Out of PS.Case No. -541 Year- 2014 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

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1. BABUWA MIYAN @ BABUWA KULHARI @ BABU KULHARI @ RIZWAN KHAN S/o Md. Jashim Hussain @ Sk Jashim Hussain @ SK Jashim Hussain, resident of Bhikhanpur, Tank Lane, Dhuniya Toli, P.S. - Ishakchak, District Bhagalpur.

..... Petitioner/s

Versus

1. The State of Bihar.

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tarun Prasad Mandal
For the Opposite Party/s : Mr. Smt Pushpa Sinha

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR SAHOO
ORAL ORDER

2 17-09-2016 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. Petitioner, Babuwa Miyan @ Babuwa Kulhari @ Babu Kulhari @ Rizwan Khan, is in custody since 09.01.2016 in Kotwali (Tatarpur) P.S. Case No. 541 of 2014 registered under Sections 399, 402 of the Indian Penal Code and Section 25(1-b)a 26/35 of the Arms Act.

3. According to learned counsel for the petitioner, two accused persons were arrested at the spot from whose possession fire arms were recovered. They contested before the police and this petitioner and other co-accused persons fled away. Nothing has been recovered from the possession of this petitioner. The petitioner is in

custody since last 9 months and the co-accused whose case is on same footing has already been granted regular bail, which is in the record.

4. Considering the facts and circumstances of the case, I direct the petitioner, above named, be released on bail on furnishing bail bond of Rs. 5,000/- (Five Thousand rupees only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhagalpur in connection with Kotwali (Tatarpur) P.S. Case No. 541 of 2014.

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(Mungeshwar Sahoo, J)