

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18841 of 2016

Arising Out of PS.Case No. -1 Year- 2016 Thana -MURLIGANJ District- MADHEPURA

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Badruddin, S/o Md. Rahim @ Rais, R/o village - Murliganj, Ward No. 3,
P.S. Murliganj, District - Madhepura

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 03-05-2016 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered under Sections
399, 402 and 414 of the Indian Penal Code and 25(1-B)a, 26, 35 of
Arms Act.

Apprehended co-accused assembled in the house of the
petitioner and while they were making preparation for committing
dacoity, the Police having got information, raided the house of the
petitioner and arrested the petitioner from whose possession of one
country made loaded Katta was recovered whereas separate fire-
arms were recovered from the possession of the other co-accused.
Petitioner does not have any criminal antecedent and is
languishing in jail custody since 31.12.2015.

Submission on behalf of the petitioner is that nothing has been recovered from the conscious possession of the petitioner and the implication of the petitioner in the present case is nothing but only highhandedness of the Police.

Considering the aforesaid facts and circumstances of the case as well as period of detention in jail custody and also taking note of the fact that chargesheet has already been submitted and the further detention of the petitioner in the present case is not required, let petitioner named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Murliganj Police Station Case No. 01 of 2016 to the satisfaction of learned Chief Judicial Magistrate, Madhepura.

(Hemant Kumar Srivastava, J)

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