

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15080 of 2017

Arising Out of PS.Case No. -66 Year- 2016 Thana -PURAINI District- MADHEPURA

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Bijendra Mehta @ Diga Mehta @ Digraga Mehta, Son of Jhari Mehta,
Resident of Village- Jogiraj, Police Station- Puraini, District- Madhepura.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 27-04-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks bail in connection with Puraini P.S.
Case No.66 of 2016 registered under Sections 25(1-b)a, 26 and 35
of the Arms Act.

The accusation is that in course of patrolling duty of the
police, five persons were seen on three motorcycles. On seeing
the police party, they started to flee away but one person found
remained standing there, who, on query, disclosed his name as
Abhimanyu Kumar and also stated that five persons borne on two
motorcycles came and looted his motorcycle, cash and some
articles. Thereafter, the police started to chase the miscreants and



apprehended one miscreant, who disclosed his name as Bijendra Mehta alias Diga Mehta (petitioner) and he disclosed the name of another miscreant, who succeeded to flee away, as Manish Kumar and he also disclosed the name of other three miscreants, who succeed to flee away with the motorcycle, as Rahul Mehta, Suraj Kumar and Pinku Mehta. On search, Bijendra Mehta alias Diga Mehta (petitioner) was found in possession of one loaded country made pistol and one live cartridge.

Learned counsel appearing on behalf of the petitioner submits that, in fact, the petitioner was accused in Bihari P.S. Case No.65 of 2016 registered under Section 395 of the Indian Penal Code and due to that reason, the petitioner has been made accused in this case showing the aforesaid recovery from his possession. Further submission is that in another case bearing Bihariganj P.S. Case No.141 of 2016, in which the petitioner is also accused, the petitioner is on bail. In the present case, the petitioner is in custody since 19.08.2016.

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 Judicial Magistrate, First Class, Udakishunganj, Madhepura, in



connection with Puraini P.S. Case No.66 of 2016. Out of the two sureties, one must be close relative of the petitioner, who will file an affidavit giving genealogy as to how he/she is related with the petitioner. The bailors will undertake to furnish information to the court about any change in the address of the petitioner.

(Rajendra Kumar Mishra, J)

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