

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.4635 of 2017

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

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Pinku Mehta @ Pinka Mehta S/o Bambam Mehta @ Bambam Mehta
Resident of Village- Yogiraj, P.S. Puraini, District-
Madhepura..... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar

For the Opposite Party/s : Mr. Smt. Madhuri Lata

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 09-03-2017 Heard learned counsel for the petitioner and learned counsel
representing the State.

Petitioner seeks bail in connection with Puraini P.S. Case
No. 66 of 2016 registered for the offences punishable under
Sections 25(1-b), 26/35 of the Arms Act.

Allegedly, co-accused Vijendra Mehta @ Diga Mehta was
apprehended and other miscreants fled away and that Vijendra
Mehta stated the name of the petitioner and others who have
managed to flee away.

Submission is that no incriminating article has been
recovered from possession of the petitioner, the name of the
petitioner has been taken by co-accused before the Police which
has got no evidentiary value in the eye of law, the petitioner has
already been allowed bail in another case which was registered



under Section 395 IPC vide Cr. Misc. No. 4492 of 2017 and as such he deserves sympathetic consideration.

Learned APP fairly submits that name of the petitioner was taken by co-accused.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Pradip Kumar Choudhary, J. M. Ist Class, Uda Kishunganj, Madhepura in connection with Puraini P.S. Case No. 66 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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