

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3237 of 2017

Arising Out of PS.Case No. -161 Year- 2014 Thana -LAHERIASARAI District- DARBHANGA

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Himesh Mishra @ Himeshwar Mishra @ Himesh Kumar Mishra, son of Sri Dayashankar Mishra, resident of village - Belbhadrapur, P.S. Laheriasarai, District - Darbhanga.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Pandey

For the Opposite Party/s : Mr. Manoj Kumar - 1

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 09-02-2017 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner is accused in connection with Laheriasarai P.S. Case No. 161 of 2014, registered under Section 414/34 of the Indian Penal Code and Section 25(1-B)a, 36 and 31 of the Arms Act.

The accusation is of recovery of two cartridge of revolver and two old battery of Nokia Mobile kept on the ventilation in course of raid of Ward No. 11 in Mandalkara Darbhanga in which six persons named in the F.I.R., including the petitioner were sleeping.

Learned counsel for the petitioner submits that it would appear from the F.I.R. itself that two empty cartridges and



battery of Nokia mobile was not recovered from the conscious possession of the petitioner, rather the same was found kept on the ventilation of the ward in which petitioner and other five prisoners were sleeping. The petitioner is in custody since 26.04.2016.

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 Chief Judicial Magistrate, Darbhanga in connection with Laheriasarai P.S. Case No. 161 of 2014. Out of two sureties, one surety must be the close relative of the petitioner, who will file an affidavit showing his relation with the petitioner.

(Rajendra Kumar Mishra, J)

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