

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10661 of 2017

Arising Out of PS.Case No. -196 Year- 2016 Thana -MANIHARI District- MUZAFFARPUR

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Aditya Kumar @ Sohan Kumar @ Sohan Son of Late Shankar Patel
resident of Village Sripur Kawaiya, P.S. Jharokar, District East Champaran,
Motihari.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jyotsna Rani Mishra, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary 1, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 15-03-2017 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
19.10.2016 in connection with Maniyari P.S. Case No. 196 of
2016 registered for the offence punishable under Sections 25(1-
b)a, 26(ii) and 35 of the Arms Act.

The prosecution case is that police personnel on
secret information went to the place of occurrence and found the
petitioner with one country made pistol and one live cartridge.
Another accused succeeded in fleeing away.

It has been submitted by the learned counsel for the
petitioner that he is innocent and has been falsely implicated in the
aforesaid case. It is submitted that no overt act has been



committed by the petitioner and charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Considering the facts and circumstances and the materials on record as well as the fact that charge-sheet has already been submitted, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of Sri Mukesh Kumar Mishra, learned Judicial Magistrate 1st Class, Muzaffarpur (West) in connection with Maniyari P.S. Case No. 196 of 2016, subject to the condition that both the bailors must be near relative of the petitioner.

(Nilu Agrawal, J.)

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