

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.23318 of 2017

Arising Out of PS.Case No. -20 Year- 2017 Thana -SABAUR District- BHAGALPUR

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Mahendra Singh @ Bhaggo Singh, S/o Late Doman Singh, Resident of
Dhuriya Agarpur, P.S.- Lodipur, District- Bhagalpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Praveen Kumar, Advocate.

For the Opposite Party : Mr. Jitendra Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-05-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 29.01.2017
in connection with Sabour P.S. Case No. 20 of 2017 for the
offences instituted under Sections 399, 402 of the IPC and 25(1-
b)a, 26 and 35 of the Arms Act.

The prosecution story, in brief, is that the informant was
on patrolling duty and on spy information, he reached at Block
Chowk wherein the police reached under Karpat Bridge, where
assembled people started fleeing away after seeing the police jeep
wherein six persons were apprehended and from others mobiles,
one loaded country made pistol with one live cartridge, while from
possession of the petitioner one mobile was recovered.



It has been submitted on behalf of the petitioner that the petitioner is in custody since 29.01.2017 and the charge sheet has been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioner. No firearm is said to have been recovered from possession of the petitioner. He has been made accused in the present case due to mistake of fact.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. 10th, Bhagalpur, in connection with Sabour P.S. Case No. 20/2017.

(Sudhir Singh, J)

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