

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.23314 of 2017

Arising Out of PS.Case No. -335 Year- 2016 Thana -HAJIPUR SADAR District-
VAISHALI(HAJIPUR)

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Prakash Manjhi, son of Late Shakhichand Manjhi, Resident of Village-
Vardha, P.S.- Muffasil, Dist.- Munger.

..... Petitioner

Versus

The State of Bihar.

..... Opposite Party

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Appearance :

For the Petitioner : Mr. Jyoti Ranjan Jha and Mr. Dhananjai
Kumar Singh, Advocates.

For the Opposite Party : Mrs. Gulnar Begum, A.P.P. 162.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-05-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 19.09.2016
in connection with Hajipur Sadar P.S. Case No. 335 of 2016 for
the offences instituted under Sections 25(1-b)A and 26 of the
Arms Act.

The prosecution story, in brief, is that on 18.09.2016 at
7.00 A.M., the informant has received a secret information that
one person lashed with illegal arms came at Hajipur for the
purpose of selling of arms then after getting direction of the S.P.,



Vaishali, the informant alongwith other police personnels reached at B.S.N.L. Golambar, Hajipur, in the meantime, one person tried to flee away then police chased him. The petitioner has disclosed his name as Prakash Manjhi. In presence of two independent witnesses, the police searched him and found three pistols and six empty Magazines from the bag of accused petitioner and he has not produced any legal papers regarding the said arms.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 19.09.2016 and the charge sheet has been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioner. It is alleged that three pistols alongwith six Magazines are said to have been recovered from the bag of the petitioner. No compliance of Section 100 Cr. P.C. has been made in the present case. It is further submitted that the petitioner may be released on bail after completion of nine months in custody from 19.09.2016.

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 after completion of nine months in custody from 19.09.2016 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like



amount each to the satisfaction of the learned C.J.M., Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No. 335 of 2016.

(Sudhir Singh, J)

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