

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25408 of 2017

Arising out of PS.Case No. -224 Year- 2016 Thana -SAHEBGANJ District- MUZAFFARPUR

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Chunni Mahto Son of Late Lakhichandar Mahto, Resident of Village-
Parsauni Jahangir, Police Station- Sahebganj, District- Muzaffapur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Upendra Kumar Chaubey

For the Opposite Party/s : Mr. Dinesh Singh

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD
ORAL ORDER**

2 07-06-2017 Heard Shri Upendra Kumar, the learned advocate for

the petitioner and learned APP for the State.

The petitioner is seeking regular bail in connection
with Sahebganj P.S. Case No. 224 of 2016 for the offences
alleged under Section 414 IPC read with section 25(1-b) a and 26
II of the Arms Act.

The First Information Report has been lodged by the
S.H.O., Sahebganj Police Station alleging therein that during the
patrolling duty the petitioner was apprehended and on search he
was found in possession of a country made pistol and two live
cartridges. The petitioner could not produce the papers related to
the ownership of the motorcycle. Thus he was arrested on
03.10.2016.



Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case though the petitioner is involved in four other cases but those cases are based on confessional statement of co-accused and he has been granted bail in all those cases. He would further submits that the petitioner is in custody since 03.10.2016 in the present case.

The learned APP opposed the prayer for bail.

Considering that the petitioner has spent more than eight months by now in custody and the investigation is over in the present case, I would direct release of the petitioner, namely, Chunni Mahto, on regular bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Muzaffarpur (West) in connection with Sahebganj P.S. Case No. 224 of 2016, Trial No. 255 of 2017 subject to the condition that the petitioner shall cooperate in trial and shall regularly appear before the trial court and any of two successive defaults in appearance in course of trial would be sufficient to cancel his bail by the learned court below.

(Rajeev Ranjan Prasad, J)

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