

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44265 of 2017

Arising Out of PS.Case No. -88 Year- 2017 Thana -KOTWA District-
EASTCHAMPARAN(MOTIHARI)

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1. Bihari Prasad @ Bihari Sah @ Bihari Prasad Sah, Son of Deo Narayan Sah, Resident of Village- Sihorawa Kotwa, P.S.- Kotwa, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

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

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

2 21-09-2017 Heard learned counsel for the petitioner and the State.

The petitioner is in custody in connection with Kotwa P.S. Case No. 88 of 2017, for the offences punishable under Sections 399, 402 and 414 of the Indian Penal Code and under Section 25(1-b)A, 26/35 of the Arms Act.

Counsel for the petitioner submits that three persons were arrested by the police on 28.05.2017 as they were fleeing away after seeing the police party. From the possession of the petitioner only mobile phone was recovered, whereas one country made pistol with cartridge and mobile phone was recovered from the possession of co-accused Ezaz Alam. Ezaz Alam was granted bail by this Court vide order dated 04.08.2017 in Cr. Misc. No.



33515 of 2017.

Considering the fact that similarly circumstanced co-accused from whose possession country made pistol and cartridge were recovered has already been granted bail, the petitioner above named is directed to 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 learned 10th Additional Chief Judicial Magistrate, East Champaran, Motihari in Kotwa P.S. Case No. 88 of 2017, subject to the condition that one of the bailors should be the family members of the petitioner, the petitioner will extend full cooperation in conclusion of trial and will not tamper with the evidence or influence the witnesses.

(Anil Kumar Upadhyay, J)

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