

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.28399 of 2017

Arising Out of PS.Case No. -7 Year- 2017 Thana -MARKAHI District- KHAGARIA

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Rajkishore Paswan, S/o Radhey Paswan, Resident of Village- Khutha, P.S.-
Morkahi, District- Khagaria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Binod Kumar, Advocate.

For the Opposite Party : Mr. Nityanand, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-07-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 23.01.2017
in connection with Morkahi P.S. Case No. 07 of 2017 for the
offences instituted under Sections 25(1-b)a, 26, 35 of the Arms
Act and 36 of Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that one country made
pistol alongwith 17 live cartridges of .315 bore has been recovered
from the waist of the petitioner and one country made double
barrel gun and two liters of Mahua liquor have been recovered
from the house of the petitioner.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 23.01.2017 and the charge sheet has



been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioner. He has got no criminal antecedent. One loaded country made pistol alongwith 17 live cartridges is said to have been recovered from possession of the petitioner. One country made double barrel gun and two liters of Mahuwa liquor is said to have been recovered from the house of the petitioner. No compliance of Section 100 Cr. P.C. has been made in the present case. The other co-accused has been granted anticipatory bail by another Co-ordinate Bench of this Court vide Cr. Misc. No. 18893 of 2017.

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 Additional Sessions Judge-3rd, Khagaria, in connection with Morkahi P.S. Case No. 07/2017.

(Sudhir Singh, J)

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