

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51649 of 2016

Arising Out of PS.Case No. -258 Year- 2016 Thana -KHAGARIA District- KHAGARIA

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Surat Ram, Son of Late Bhola Hazari, resident of village - Jaitapure, Police Station Palonwa, District - East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Dilip Kumar Tondon, Advocate.

For the Opposite Party : Mr. Arbind Kumar Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 08-03-2017 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 23.04.2016 in connection with Khagaria P.S. Case No. 258 of 2016 for the offences instituted under Section 409 of the IPC.

The prosecution story, in brief, is that the petitioner being S.I. of Police, superannuated on 31.10.2014 but had not deposited the allotted government pistol and cartridges in the arsenal. It is further alleged that on 05.04.2016, the petitioner filed a petition with regard to missing of the said pistol and cartridges and the said matter was enquired into by the Additional Superintendent of Police, Khagaria, who did not find any substance in the same and thereafter the instant F.I.R. has been lodged against him.

Earlier the bail application of the petitioner was rejected



on 08.08.2016 vide Cr. Misc. No. 24776 of 2016 by this Court with an observation 'at this stage'. This is second attempt on behalf of the petitioner for grant of bail.

A report was called for from the court below regarding the stage of the case. It has been reported that the charge has been framed.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 23.04.2016. There is no allegation of tampering of the witnesses alleged against the petitioner. He has got no criminal antecedent. The service revolver of the petitioner got lost due to inadvertent mistake on his part.

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 that earlier the bail application of the petitioner was rejected with an observation 'at this stage', 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 C.J.M., Khagaria, in connection with Khagaria P.S. Case No. 258 of 2016.

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(Sudhir Singh, J)

