

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30926 of 2017

Arising Out of PS.Case No. -59 Year- 2017 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

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Paltu Sah @ Paltu Kumar @ Samar Sah @ Samar Kumar son of Sri
Shankar Sah Resident of Village : - Mundichak near Mini Market, Police
Station - Tilkamanjhi, District - Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Bimal Kumar, Advocate.

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP.

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 06-07-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Bhagalpur Kotwali
(Tilkamanjhi) P.S. Case No. 59 of 2017 registered under Sections
25(1-b)a and 26 of the Indian Penal Code.

The petitioner was apprehended by the police on
giving chase and on search, one loaded country made pistol was
recovered from his possession.

It is submitted by learned counsel for the petitioner
that the petitioner has been falsely implicated in the case and for
that he has filed a complaint case bearing Complaint Case No.
199 of 2017 against the informant and others in the court of Chief



Judicial Magistrate, Bhagalpur on 17.02.2017. Nothing incriminating article has been recovered from the conscious physical possession of the petitioner. Petitioner has been languishing in custody since 03.02.2017.

Considering the fact that one loaded country made pistol was recovered from the conscious physical possession of the petitioner, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of the petitioner is rejected. However, the petitioner may renew his prayer for bail after four months or framing of charge whichever happens earlier.

(Prakash Chandra Jaiswal, J)

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