

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22064 of 2017

Arising Out of PS.Case No. -433 Year- 2016 Thana -DALSINGHSARAI District- SAMASTIPUR

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1. Kishore Pathak @ Kallu Pathak @ Kishore Kumar Pathak Son of Late
Dayanand Pathak, Resident of Village- Asinchak, P.S. Dalsingsarai,
District- Samastipur, PIN- 848114 Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner : Mr. Anirudh Kumar Sinha, Adv.

For the Opposite Party : Mr. Dinesh Singh, APP 21

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 11-07-2017 Heard the learned counsel for the petitioner and the
State.

This is a petition for grant of regular bail for offence
under Sections 25(1-b)a and 26 of the Arms Act.

Dalsingsarai P.S. Case No. 431 of 2016 was
registered on the report of the Branch Manager of Bank of Baroda
Branch, Hari Shankarpur Branch, alleging therein that an attempt
to commit dacoity in the said branch was made by unknown
persons.

During investigation, on the confessional statement
of co-accused, Shivam Kumar Choudhary name of the petitioner
transpired and considering the fact that only material against the
petitioner was confessional statement of co-accused, the petitioner
was granted bail in Cr. Misc. No. 21845 of 2017 by a coordinate
Bench of this Court.

It is worth to mention that in that very case, the
petitioner was apprehended by the police and from the possession
of this petitioner a loaded country made pistol and cartridge was
recovered. Thereafter, the present separate case has been



registered under the provisions of Arms Act.

Submission of the learned counsel for the petitioner is that the petitioner has stated on oath that he has got no criminal antecedent and is in custody since 28.12.2016.

Considering the entire facts and circumstances, aforesaid, let the petitioner, above named, be released on bail, on completion of nine months in custody, on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each in connection with **Dalsingsarai (Samastipur) P.S. Case No. 433 of 2016** to the satisfaction of the **Additional Chief Judicial Magistrate, Dalsingsarai, Samastipur**, or successor Court.

(Birendra Kumar, J)

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