

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42318 of 2017

Arising Out of PS. Case No.-6 Year-2017 Thana- LUTUA District- Gaya

Chhotu Bhuian Son of Laxman Bhuian, R/o Village- Nagobar, P.S.- Lutua,
District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. S. Jamil Akhtar, Advocate

For the Opposite Party/s : Mr. RAJENDRA NATH JHA, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-09-2017 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered under
Sections 25(1-B)a, 26, 35 of the Arms Act as well as 17 of
C.L.A. Act and 3 and 4 of Explosive Substance Act.

Allegation is that the police apprehended the accused
persons including the petitioner while they were planning to
harm the police and from the possession of Visheshar Bharti one
pistol along with three live cartridges were recovered.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 3.5.2017 and has no criminal
antecedent. Charge sheet has been submitted in the case. There
is no allegation of tampering of witnesses alleged against the
petitioner. The petitioner has been made accused due to mistake



of fact. No incriminating article is said to have been recovered from the possession of the petitioner. Whatever incriminating is said to have been recovered i.e. from the possession of co-accused Bisheshar Bharti.

On behalf of the State, it is 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 bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of A.C.J.M., Sherghati, Dist. Gaya in connection with Lutua P.S. case No.6 of 2017.

(Sudhir Singh, J)

Narendra/-

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