

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42863 of 2017

Arising Out of PS.Case No. -118 Year- 2016 Thana -PASRAHA District- KHAGARIA

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Rakesh Singh, Son of Late Tuntun Singh, resident of Village- Pasraha,
Police Station- Pasraha, District- Khagaria.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Dilip Kumar, Advocate.

For the Opposite Party : Mrs. Renu Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-09-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since
23.09.2016 in a case for the offence registered under Sections 399,
402, 353, 307 of the IPC and 25(1-b)a, 26, 27 and 35 of the Arms
Act.

The prosecution story, in brief, is that the informant
received secret information that some co-accused persons were
planning to commit dacoity. He reached at the place of occurrence,
upon seeing the police they started fleeing and one co-accused
Manjesh Yadav was caught and from whose possession a country
made pistol and live cartridges and Mobile Phone were recovered.

It has been submitted by learned counsel for the



petitioner that the petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case due to mistake of fact. There is no recovery of any arms from possession of the petitioner. Arms is said to have been recovered from possession of co-accused Manjesh Yadav.

On behalf of the learned counsel for 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 bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge-III, Khagaria in connection with Sessions Trial No. 100 of 2017, arising out of Pasraha P.S. Case No. 118 of 2016.

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(Sudhir Singh, J)

