

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52907 of 2016

Arising Out of PS.Case No. -406 Year- 2016 Thana -BEGUSARAI TOWN District- BEGUSARAI
=====

Ram Kripal Nishad Son of Ram Pravesh Nishad Resident of Village-
Simariya Ghat, Bind Toli, P.S. Barauni, District-Begusarai

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai

For the Opposite Party/s : Mr. Sri Madan Kumar
=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 13-01-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is in custody since 04.09.2016 in connection with Town P.S. Case No. 406 of 2016 registered for the offences punishable under Sections 399, 402 of the Indian Penal Code and Section 25(1-B)a, 26 & 35 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner has been arrested on mere suspicion that the alleged recovery of 11 live cartridges has been made from him. Actually, his name has been brought in this case only because he was a contestant in the Mukhiya election. It is further submitted that the petitioner has not committed any offence and recovery of 11 live cartridges without any arms could not amount to an offence. It is further submitted that seizure list is also not prepared in presence



of the petitioner which violates the mandatory provision of law and the petitioner has no criminal antecedent.

Having heard learned counsel for the parties and after considering the fact that only on suspicion a Bolero vehicle was intercepted and certain persons were arrested and that the petitioner has no criminal antecedent, let the petitioner above named is directed to be enlarged 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 Chief Judicial Magistrate, Begusarai in connection with Town P.S. Case No. 406 of 2016.

(Anjana Mishra, J)

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