

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.5635 of 2017

Arising Out of PS.Case No. -185 Year- 2016 Thana -MURLIGANJ District- MADHEPURA

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Md. Mozzmil @ Md. Mozmil, Son of Late Wasil Mian, Resident of
Village- Gamharia, P.S. Murliganj, District- Madhepura.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Dinesh Prasad Verma, Advocate.

For the Opposite Party : Mr. Dr. Ajeet Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 28-02-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 02.07.2016
in connection with Sessions Trial No. 202 of 2016, CIS No. 254 of
2016, arising out of Murliganj P.S. Case No. 185 of 2016 for the
offences instituted under Sections 414 of the I.P.C., 25(1-b)a, 26,
35 of the Arms Act and 47(a) of Bihar Excise Amendment Act,
2016.

The prosecution story, in brief, is that on 01.07.2016, the
police caught hold the petitioner and co-accused Prince Kumar
and from their possession, two country made pistols, twelve live
cartridges and four bottles of country made liquor kept in dickey
of the motorcycle were recovered. From possession of this



petitioner, one country made loaded pistol and five live cartridges were recovered.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 02.07.2016 and the charge sheet has been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioner. One country made loaded pistol alongwith five live cartridges and 1.600 liters of country made liquor are said to have been recovered from possession of this petitioner. No compliance of Section 100 Cr. P.C. has been made in the present case.

On behalf of 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 bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-Ist, Madhepura, in connection with Sessions Trial No. 202 of 2016, CIS No. 254 of 2016, arising out of Murliganj P.S. Case No. 185 of 2016.

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(Sudhir Singh, J)

