

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49941 of 2017

Arising Out of PS.Case No. -42 Year- 2017 Thana -BHAGWANPUR District- BEGUSARAI

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1. Surendra Mahton @ Bulua @ Surendra Mahto S/o Late Bipat Mahto
resident of Village Buchauli, P.S. Bhagwanpur, District Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh

For the Opposite Party/s : Mr. Sri Ganesh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 17-10-2017

Heard the learned counsel for the petitioner.

The petitioner seeks regular bail in connection with
Bhagwanpur PS case no. 42 of 2017 for the offences punishable
under Sections 25 (1-b)a, 26 of Arms Act.

The case of the prosecution in brief is that the
petitioner was apprehended by the police and upon search, one
loaded countrymade pistol and five live cartridges were recovered.

The learned counsel for the petitioner submits that
as far as his criminal history is concerned, he is an accused in
three cases; in one case, he has been acquitted while in other two
cases, he is on bail. It is further submitted that the petitioner is in
custody since 01.04.2017.



I find from the impugned order dated 22.07.2017 that the petitioner is in custody since 12.06.2017.

In the facts and circumstances of the case, I deem it fit and appropriate to direct for the release of the petitioner immediately upon completion of six months from the date of his actual custody which may be verified by the learned trial court. In case, the petitioner has completed six months of custody then be released on bail immediately. The petitioner is directed to be released on regular bail as aforesaid upon such condition as may be imposed by the concerned trial court.

With these observations, this bail application is disposed of.

(Mohit Kumar Shah, J.)

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