

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8425 of 2017

Arising Out of PS.Case No. -101 Year- 2016 Thana -PUSA District- SAMASTIPUR

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Balmiki Kumar son of Sri Purshottam Kumar Singh Resident of Village -
Phulhara, P.S. Kalyanpur, District Samastipur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Abhay Shankar Singh

For the Opposite Party/s : Mr. Arbind Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-03-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case instituted under
Sections 394, 302 of the Indian Penal Code and Section 27 of the
Arms Act but after investigation charge sheet was submitted and
cognizance was taken under Sections 396, 412 of the Indian Penal
Code and Section 25(1-B)A/26/27/35 of the Arms Act.

The allegation against the accused persons including
the petitioner is of committing loot of Laptop and cash of Rs.
3.50000/- from the brother of the informant.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 16.10.2016. The petitioner has got
no criminal antecedent. There is no allegation of tampering of



witnesses alleged against the petitioner. The petitioner has been made accused due to mistake of fact. He has not been put on T.I.P. to ascertain his involvement in the present case. There is no recovery of any incriminating article from the possession of the petitioner. Except for the confessional statement of co-accused, there is no other substantive evidence to suggest his implication in the present case. The other co-accused has been granted bail vide Annexure-2 to the present application.

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 Sessions Judge, Samastipur, in connection with S.T. No. 65 of 2017, arising out of Pusa P.S. Case No. 101 of 2016.

(Sudhir Singh, J)

Amit/-

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