

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55084 of 2017

Arising Out of PS.Case No. -111 Year- 2017 Thana -KAHAIYA District- MUZAFFARPUR

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Jitendra Kumar S/o Baiju Rai, R/o Village- Tarwan, Manjhauliya, P.S.-
Paru, District- Muzaffarpur. Petitioner.

Versus

The State of Bihar Opposite Party.

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Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand

For the Opposite Party/s : Smt. Anita Kumari

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

02 15-12-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Kathaiya P.S. Case No.
111 of 2017 registered under Section 401 of the Indian Penal Code
and Section 25 (1-b)A, 26 and 35 of the Arms Act.

As per the prosecution case, in course of making
reccy for committing an offence a commander jeep dashing a
cyclist tried to escape and rammed into road side tree. Resultantly
one of the miscreants of the said jeep was injured while two others
managed to escape. On search police recovered a loaded country
made pistol and a live cartridge from beneath the seat of the said
jeep. The driver of the said jeep was Pawan Sahani.

It is submitted by learned counsel for the petitioner
that he was one of the commuters of the said jeep and in course of



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proceeding to Tarwa Majhauilya the jeep dashed the road side tree resultantly he became injured and was rushed to Muzaffarpur to accord him better treatment by the police. He has no concern with the seized arm and ammunition. No incriminating article has been recovered from his conscious physical possession. He has no criminal antecedent. He has been languishing in custody since 21.08.2017.

In the facts and circumstances of the case, the above named petitioner 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 learned 1st Additional Chief Judicial Magistrate (West), Muzaffarpur in connection with Kathaiya P.S. Case No.111 of 2017.

(Prakash Chandra Jaiswal, J)

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