

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.488 of 2017

Arising Out of PS.Case No. -440 Year- 2016 Thana -CHAPRA TOWN District- SARAN

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Jitendra Kumar Singh son of Late Wakil Singh, resident of village - Bara
Telpa, Nai Basti, P.S. - Chapra Town, Dist. Saran at Chapra.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Kumar, Advocate

For the Opposite Party/s : Mrs. Madhuri Lata, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 11-01-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
23.09.2016 in connection with Chapra Town P.S. Case No. 440 of
2016 registered for the offences punishable under Sections 399,
401 and 414 of the Indian Penal Code and Sections 25(1-b)a, 26
and 35 of the Arms Act.

The prosecution case, as lodged by the police
personnel, is that during patrolling, they intercepted a Scorpio car
from which four persons managed to run away and two persons,
including the petitioner were apprehended. The petitioner was
sitting next to the driver's seat and below the driver's seat one
country made pistol loaded with live cartridges was found. On



search, one mobile with SIM and one fighter ring were seized from the petitioner.

It has been submitted by the counsel for the petitioner that he is innocent, has no criminal antecedent and has been falsely implicated in the aforesaid case. He submits that nothing has been recovered from his possession and none of the Sections of the Arms Act is applicable against him and that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Considering the facts and circumstances, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran at Chapra in connection with Chapra Town P.S. Case No. 440 of 2016.

(Nilu Agrawal, J.)

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