

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6764 of 2017

Arising Out of PS.Case No. -402 Year- 2016 Thana -ARARIA District- ARRARIA

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Santosh Kumar Sharma @ Santosh Sharma Son of Laxmi Narayan Sharma
resident of village - Gairki, Police Station - Jokihat, District - Araria.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh

For the Opposite Party/s : Mr. Brajendra Nath Pandey

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 22-02-2017 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Araria P.S.Case No. 402/2016 registered for the offences punishable under sections 25(1-b)a, 26 of the Arms Act.

The allegation in brief is that a pistol was recovered from the dead body of the deceased Kanhaiya Kumar Yadav for which a separate case Araria P.S.Case No. 401/2016 has been lodged. This case is registered under sections 25(1-b)a, 26 of the Arms Act.

The submission is that this petitioner has been made accused on the basis of C.D.R. showing the petitioner talking on mobile with Lalita Devi, one of the accused in Araria P.S.Case No. 401/2016, showing location of the mobile of the petitioner nearby the place of occurrence. Learned counsel appearing on behalf of the petitioner submits that the F.I.R. is against unknown.



In this case there is no material against the petitioner except that the location of his mobile was found nearby the place of occurrence. The petitioner has got no criminal antecedent except the present one and the other case instituted for the same occurrence being Araria P.S.Case No. 401/2016. He has been in custody in this case since 19.12.2016.

Having considered the said facts and circumstances, the petitioner Santosh Kumar Sharma @ Santosh Sharma is directed to 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 Chief Judicial Magistrate, Araria in Araria P.S.Case No. 402/2016.

(Arun Kumar, J)

Surendra/-

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