

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.3267 of 2018

Arising Out of PS. Case No.-398 Year-2017 Thana- KHAGARIA District- Khagaria

Makeshwar Yadav @ Muktijee @ Mukesh S/o Bhim Yadav, R/o Village-Telahi, P.S.- Bithan, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sada Nand Roy, Advocate

For the Opposite Party/s : Mr. SRI SHYAM KUMAR SINGH, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 09-02-2018 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner, who is in custody, seeks bail in connection with Khagaria (Gangour) P.S. Case No. 398 of 2017 registered for the offence punishable under Sections 25(1-b) a, 26, 35 Arms Act, 3/4 Explosive Substance Act and Section 16, 17, 18, 20, 22, 23 U.A.P. Act

Informant is the S.I. who in his self statement has stated that on 08.06.2017 at 12:00 PM the S.I. Abhiram Singh and other police officials of S.I.G. Team and S.T.F. came before him and stated that on confidential information has been



received that three notorious naxalites were moving in Bakhari and Gangour police station area for doing some big crimes. Thereafter the police force, S.I.G and S.T.F. reached near Bela railway crossing and they saw that three persons were sitting under the Mango tree in suspicious condition and thereafter seeing the police party petitioner alongwith two other persons tried to flee away but they were apprehended and they disclosed their names. On search a loaded pistol with six live cartridges and letter of BCMP were recovered from the possession of the petitioner.

Learned counsel for the petitioner submitted that he is innocent and has been falsely implicated in this case. It has been further submitted that co-accused namely, Md. Nasir has already been granted bail by a Coordinate Bench of this Court vide order dated 21.11.2017 passed in Criminal Miscellaneous No. 52780 of 2017. It has further been petitioner is in custody since 10.06.2017.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of



Learned Chief Judicial Magistrate, Khagaria, in connection with
Khagaria (Gangour) P.S. Case No. 398 of 2017.

(S. Kumar, J)

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