

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5683 of 2018

Arising Out of PS.Case No. -443 Year- 2017 Thana -PARWATTA District- KHAGARIA

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1. Madhur Kumar Singh @ Madhur Singh, Son of Ram Bahadur Singh,
Resident of Village-Rampur Thuthi, Police Station-Parbatta, District-
Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Pandey

For the Opposite Party/s : Mr. Sri Bhanu Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 09-02-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection
with Parbatta P.S.Case No. 443 of 2017 registered under Sections
504, 506 of the Indian Penal Code and 25(1-B)(a) and 26 of the
Arms Act.

It is submitted by the learned counsel for the
petitioner that no recovery of any incriminating weapon was made
from the petitioner. In the First Information Report instituted by
the informant Sanjay Sah, the allegation is that one Balli Singh,
who was possessing a country made pistol and cartridge, was
overpowered and was produced before the police in presence of
the petitioner but subsequently the Investigating Officer of the



case is trying to implicate the petitioner also in the alleged offence.

On the other hand, learned counsel for the State opposed the application for grant of pre-arrest bail to the petitioner. He submitted that in course of investigation materials have been collected against the petitioner and there is no statutory bar to implead a witness to the FIR as an accused.

Be that as it may, regard being had to the nature of allegation, the petitioner, who is said to be a man of clean antecedent, is directed to be released on bail in the event of arrest or surrender before the court below within four weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. 1st, Khagaria in connection with Parbatta P.S.Case No. 443 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

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