

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28101 of 2018

Arising Out of PS. Case No.-39 Year-2018 Thana- BIKRAMGANJ District- Rohtas

Chhotu Singh son of Dinanath Singh Resident of Mohalla - Anjabit Singh
College Road, Ward No. 12, P.S. - Bikramganj, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra

For the Opposite Party/s : Mr. Iftekhar Mahmood

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 10-05-2018 Petitioner is permitted to make correction in
paragraph 11 of this application.

Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Bikramganj
P.S. Case No. 39 of 2018 for offences punishable under Sections
25(1-b) a/26/35 of the Arms Act.

The prosecution case, as lodged by the police
personnel, is that on information that some persons are dealing
in wine, the police raided the place. Five persons managed to
flee away and one was apprehended, but on chase all were
apprehended and from the possession of co-accused Vivek
Kumar one country-made pistol was recovered. However,
nothing was recovered from the possession of the petitioner.



It has been submitted by the learned counsel for the petitioner that he is innocent and the excise case in which he has been made accused being Vikramganj P.S. Case No. 38 of 2018 relates to the same occurrence on the same day and apart from that he has no criminal history. He submits that nothing has been recovered from the possession of the petitioner, arms has been recovered from the possession of another co-accused and he is in judicial custody since 26.02.2018.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, 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 learned Addl. Chief Judicial Magistrate, Bikramganj, in connection with Bikramganj P.S. Case No. 39 of 2018.

(Nilu Agrawal, J)

Rajesh/-

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