

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27338 of 2018

Arising Out of PS.Case No. -205 Year- 2017 Thana -BHELDI District- SARAN

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1. Abhimanyu Mahto @ Manua @ Manu Son of Nagina Mahto, R/o Vill.-
Ram Nagar Tola, P.S.- Katraha, District- Vaishali at Hajipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Udai Shankar Singh

For the Opposite Party/s : Mr. Sri Amit Kumar Rakesh

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

02 03-05-2018

Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in a case registered for the offence punishable under Sections 399 and 402 of the Indian Penal Code, Section 25 (1-b)a/26/35 of the Arms Act and Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

Petitioner and five other accused persons are said to have consumed liquor in the school and were planning to commit dacoity and a loaded pistol and live cartridge is said to have been recovered from the possession of the petitioner.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged has ever took place. No incriminating article has been recovered from the conscious



physical possession of the petitioner. As a matter of fact, the petitioner was not apprehended at the spot. In the night of date of occurrence, he was going to attend a marriage ceremony in the village Barki Beri and in the meantime the police apprehended him due to not coughing up the graft made by him and falsely implicated him in the case by planting the aforesaid recovery from his possession. The chargesheet in the case has already been submitted. He had not consumed liquor. He happens to be a teetotaler. He has no criminal antecedent and has been languishing in custody since 26.11.2017.

In the facts and circumstances of the case, the above named petitioner is directed to 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 the learned A.D.J.-VI, Saran at Chapra in connection with Bheldi P.S. Case No.205/2017.

(Prakash Chandra Jaiswal, J)

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