

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38145 of 2018

Arising Out of PS. Case No.-258 Year-2017 Thana- LAXMIPUR District- Jamui

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Ajit Mandal @ Makhru Mandal, S/o Late Mahendra Mandal, resident of
Village- Maslai, P.S. Laxmipur, Dist.- Jamui.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Ranjan Singh, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 06-07-2018 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
6.11.2017 in connection with Laxmipur P.S. Case No. 258 of
2017 registered for the offence punishable under Sections 399,
402 of the Indian Penal Code and Sections 25 (1-b) a, 26, 35 of
the Arms Act.

The prosecution case, as lodged by the informant
police personnel is that on secret information that some
criminals in order to commit crime are roaming in the locality,
the police arrived at the place of occurrence and stopped a
motorcycle carrying three people who tried to run away but
were apprehended by the police which included the petitioner.
On search, all the accused were found to be in possession of



loaded country made pistol with one live cartridge.
Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent, provision of Section 100 of the Cr.P.C. has not complied with and no overt act has been committed by the petitioner and he is languishing in judicial custody for eight months. He submits that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, named above, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Jamui in connection with Laxmipur P.S. Case No. 258 of 2017.

(Nilu Agrawal, J.)

Arjun/Ragini

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