

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.2449 of 2018

Arising Out of PS.Case No. -123 Year- 2017 Thana -PUPRI District- SITAMARHI

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Maruti Nandan Chaudhary @ Niraj Chaudhary Son of Ganga Ram
Chaudhary, Resident of Village-Jhajhiat, P.S. Pupri, District-Sitamarhi.

.... Petitioner.

Versus

The State of Bihar

.... Opposite Party.

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Appearance :

For the Petitioner/s : Mr. Devendra Kumar

For the Opposite Party/s : Mr. Amitesh Kumar

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

02 17-01-2018

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner seeks bail in Pupri P.S. Case No.123
of 2017 registered under Sections 255 and 256 of the Indian Penal
Code and Section 25 (1-b)A/26 of the Arms Act.

As per the prosecution case, two country made
pistols and three live cartridges are said to have been recovered
from the possession of the petitioner.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from his
conscious physical possession. The petitioner has been falsely
implicated in this case by the police in collusion with Ram Chabila
Chaudhary as Pupri P.S. Case No.372 of 2013 was filed by his
family member for committing rape against his maid by the Ram



Chabila Chaudhary. Petitioner has been languishing in custody since 13.05.2017. Earlier the prayer for bail of the petitioner was rejected by this court vide order dated 21.09.2017 in Cr. Misc. No.46022 of 2017 giving liberty to renew his prayer after framing of charge. Now the charge has been framed against the petitioner on 29.11.2017.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Fast Track Court-II, Sitamarhi in connection with Pupri P.S. Case No.123 of 2017.

(Prakash Chandra Jaiswal, J)

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