

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.53026 of 2017

Arising Out of PS.Case No. -139 Year- 2017 Thana -KHUSRUPUR District- PATNA

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Kunal Singh, S/o Sanjay Singh, Resident of Village- Chaki, P.S.-
Brahampur, Dist- Baxar.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kr Singh No.1

For the Opposite Party/s : Mr. Sri Ram Anurag Singh

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 10-01-2018

Heard the counsels for the parties.

The petitioner seeks bail in connection with
Special Case No. 101 of 2017, arising out of Khushrupur P.S.
Case No. 139 of 2017 dated 19.07.2017 instituted for the offences
under Sections 399, 402, 353, 307, 414 of the Indian Penal Code,
Sections 25(1-b) a, 26, 27, 35 of the Arms Act, 1959 and Sections
20, 22 of the Narcotic Drugs & Psychotropic Substances Act,
1985.

On secret information that criminals have
congregated on a highway, a raid was conducted and about sixteen
persons including the petitioner were arrested.

Learned counsel for the petitioner has submitted
that though the petitioner is shown to have been arrested along



with the other accused persons but the fact of the matter remains that he was riding a motorcycle along with another co-accused who was coming from Rajgir. From the F.I.R. as well as seizure list, it would appear that from the possession of the petitioner, one country made pistol was recovered. From the possession of others who were occupying a vehicle, five packets of one kilogram of Ganja each, totalling five kilograms of Ganja were recovered. Learned counsel for the petitioner has brought on record the educational qualification of the petitioner and has submitted that petitioner has been arrested on mistaken identity. The petitioner has clean antecedents and he is in custody since 20.07.2017.

Taking into account the aforesaid facts, this Court is inclined to grant bail to the petitioner.

The petitioner, above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand) with sureties of the like amount each to the satisfaction of learned Sessions Judge/Special Judge, Patna in connection with Khushrupur P.S. Case No. 139 of 2017.

(Ashutosh Kumar, J)

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