

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62824 of 2018

Arising Out of PS.Case No. -279 Year- 2016 Thana -BIHIA District- BHOJPUR

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1. Manoj Mallah S/o Dharati Nand Mallah, resident of Village- Rajpur,
P.S.- Bihiya, District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh

For the Opposite Party/s : Mr. Anuj Kumar Srivastava

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 12-10-2018 Heard the parties.

Petitioner seeks bail in Bihiya P.S. Case No.279 of 2016
registered for the offences under Sections 399, 402 of I.P.C. and
Sections 25(1-b)a, 26, 35 of the Arms Act.

Accusation is that while on 14.10.2016 on receipt of
information that some miscreants were planning to commit
dacoity, patrolling party reached there, on seeing them all the
miscreants started to flee but on chase with the help of the
villagers one of the miscreants was apprehended and three persons
managed to escape. Apprehended person on query disclosed his
name as Mohit Lal Sah and on search one country made pistol and
three live cartridges were recovered from his possession.

Learned counsel for the petitioner submits that neither



the petitioner was apprehended on the spot nor any recovery of any incriminating article was effected from his possession. He further submits that one co-accused who was apprehended on the spot has already been granted bail by a co-ordinate Bench of this Court vide order dated 6.4.2017 passed in Cr.Misc. No.15302 of 2017. He is in custody since 29.08.2018 having no criminal antecedent.

Having considered the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of A.C.J.M. -V, Bhojpur, Ara, in Bihiya P.S.Case No.279/16.

(S. Kumar, J)

AnilKrSinha/-

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