

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.62293 of 2018**

Arising Out of PS.Case No. -358 Year- 2017 Thana -TAJPUR District- SAMASTIPUR

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Alok Kumar @ Ashutosh Kumar @ Munchun @ Ambani S/o Sri  
Shatrudhan Prasad Singh, R/o Vill.- Mihishor, Jandah, P.S.- Jandaha,  
District- Vaishali.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ajay

For the Opposite Party/s : Mr. Sri Manoj Kumar - 1

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**CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA**  
**ORAL ORDER**

2      10-10-2018                      Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner is in custody since 03.11.2017 in  
connection with Tajpur P.S. Case No. 358 of 2017 for the offence  
registered under Section 25 (1-AA), 25, 25 (1-AAA), 25 (1-B) (a),  
26 and 35 of the Arms Act.

Learned counsel for the petitioner submits that the  
loaded carbine alleged to have been recovered from the petitioner  
but in fact, the same was recovered from a bag, which does not  
belong to the petitioner. From the seizure list itself, it is evident  
that the bag, which was seized separately and the carbine which  
was inside the bag with one Samsung mobile and other mobiles,  
were not recovered from the conscious possession of the



petitioner. It is further submitted that similarly situated co-accused person, namely, Sanjeev Kumar Jha has been granted bail vide order dated 23.02.2018 passed in Cr. Misc. No 5387 of 2018.

Considering the aforesaid facts and circumstances of the case and that the petitioner has already been in custody for nearly 10 months, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of 1<sup>st</sup> Additional Sessions Judge, Samastipur in connection with Sessions Trial No. 358 of 2018 arising out of Tajpur P.S. Case No. 358 of 2017.

**(Anjana Mishra, J)**

Jagdish/-

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