

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28212 of 2018

Arising Out of PS.Case No. -33 Year- 2018 Thana -CIVIL LINE District- GAYA

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1. Basant Prasad @ Basant Mahto, son of Kishori Prasad, Resident of Village- Sonpur, P.S. Dumariya, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Saxena

For the Opposite Party/s : Mr. Sri Damodar Prasad Tiwary

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-05-2018

Heard the learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Civil Line PS case no. 33 of 2018 instituted for the offences punishable under Sections 399/402 of Indian Penal Code and 25(1-B)/A/26/35 of Arms Act.

The allegation, according to the informant, is that the accused persons were conspiring to commit dacoity and during the course thereof, they were apprehended from the field. As far as the petitioner is concerned, one countrymade pistol and two live cartridges were recovered from the petitioner.

The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the



present case. It is further submitted that the petitioner is in custody since 29.01.2018. It is further submitted that the petitioner is accused in two other cases but he is on bail in both the cases.

Considering the aforesaid facts and circumstances of the case, I deem it fit and appropriate to direct for release of the petitioner on regular bail upon completion of 06 months of custody. Accordingly, the petitioner shall be released on bail by the concerned trial court upon completion of 06 months of custody w.e.f. 29.01.2018 subject to such conditions which may be deemed fit and proper by the learned trial court.

(Mohit Kumar Shah, J)

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