

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42941 of 2018

Arising Out of PS. Case No.-85 Year-2018 Thana- BIHRA District- Saharsa

=====

Miltan Kumar S/o Bindu Kumar Nirala, At present R/o Gautam nagar
Gangjala, P.S.- Saharsa, District- Saharsa and R/o Vill.- Ghoghsam, Ward No.
2, P.S.- Bakhtiyarpur, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rakesh Singh

For the Opposite Party/s : Mr. Sri Anand Kishore Choudhary

=====

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 17-07-2018 Heard learned counsels for the petitioner and the State.

The petitioner, already in custody, seeks bail in connection with Special Case No. 3/2018 arising out of Bihra P.S.Case No. 85 of 2018 registered under Sections 399 and 402 of the Indian penal Code, 25(1-b)a/26/35 of the Arms Act, Sections 3 and 4 of the Explosive Substance Act and 20 and 22 of the Narcotic Drugs and Psychotropic Substance Act.

Allegation in brief is that Police raided the house of one Banti Yadav and found several persons present there including the petitioner and recovered some arms and ammunition and 900 Grams Ganja from the house of Banti Yadav, besides that from nearby field, some motorcycles and some bombs were also seized by the Police.



Submission is that there is no recovery of any incriminating article from the possession of the petitioner merely he was said to be present there but fact is that he was passing by the road and the Police apprehended him but nothing has been recovered from his possession. This petitioner has one criminal antecedent under Sections 323,341,447 and 404/ IPC and 27 of the Arms Act in which he is on bail.

Having considered the aforesaid facts and circumstances, the petitioner, namely , Miltan Kumar is directed to be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Special Judge-cum-Sessions Judge, Saharsha in connection with Special Case No. 3/2018 arising out of Bihra P.S. Case No. 85 of 2018.

(Arun Kumar, J)

sujit/-

U		T	
---	--	---	--

