

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49618 of 2018

Arising Out of PS. Case No.-593 Year-2018 Thana- SITAMARHI District- Sitamarhi

Shantam Kumar @ Santam Kumar S/o Late Sujit Kumar Singh, R/o Vill.-
Gaighat, P.S.- Runnisaidpur, District- Sitamarhi, At present Krishna Nagar,
Basvariya, P.S.- Sitamarhi, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh
For the Opposite Party/s : Smt Indu Kumari Srivastava

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 20-09-2018 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner seeks bail in connection with
Sitamarhi P.S. Case No. 593 of 2018 registered under Sections
399, 402, 412, 413 of the Indian Penal Code and Sections 25(1-
b)a/26/35 of the Arms Act.

Petitioner along with five other accused persons
are said to have congregated at the place of occurrence to
commit some crime and from possession of the petitioner, one
live cartridge and one knife were recovered while from
possession of the co-accused Prabhat Kumar a loaded country
made pistol was recovered.

It is submitted by learned counsel for the



petitioner that no incriminating article has been recovered from conscious physical possession of the petitioner. He has no concern either with the seized article or with the aforesaid occurrence. He has been falsely implicated in this case at the instance of his enemy by planting the aforesaid recovery from his possession. Without firearm, the cartridge is useless. He has no criminal antecedent and has been languishing in custody since 15.06.2018.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in connection with Sitamarhi P.S. Case No. 593 of 2018.

(Prakash Chandra Jaiswal, J)

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