

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.63627 of 2017

Arising Out of PS.Case No. -421 Year- 2017 Thana -SIWAN MUFFASIL District- SIWAN

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Mukesh Pandey, S/o Rajmangal Pandey, R/o Village - Kumati Bhitauli,
P.S.- Darauli, District- Siwan.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Satyendra Rai, Advocate.

For the Opposite Party/s : Dr. Rabindra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 10-01-2018 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner is seeking regular bail Siwan Muffasil
P.S. Case No. 421 of 2017 registered under Sections 399 and 402
of the Indian Penal Code and Sections 25(1-b)a/26/25 of Arms
Act.

Learned counsel for the petitioner submits that the
petitioner being an accused in S. Tr. No. 527 of 2016 had gone to
the Civil Court premises at Siwan from where he was lifted by
police along with co-accused. It is stated that on that day he had
made a representation U/S 301 Cr.P.C., one day after lifting by
police the present F.I.R. was lodged on 08.09.2017.

Learned counsel submits that two live cartridges are
said to have been recovered from the possession of this petitioner.



He has also placed before me a copy of the order dated 08.01.2018 passed in Cr. Misc. No. 58083 of 2017 by which the co-accused has been granted privilege of regular bail in this case.

Learned A.P.P. representing the State is present and opposed the prayer for bail.

Considering the facts and circumstances of the case, particularly that the petitioner has already been in custody for four months and two live cartridges are said to have been recovered from his possession, let the petitioner, namely, Mukesh Pandey, be released on bail on his furnishing bail bond of Rs. 15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Siwan in connection with Muffasil P.S. Case No. 421 of 2017, subject to the conditions as laid down under Section 437(3) Cr.P.C. and further conditions that one of the bailors would be a family member of the petitioner having no criminal antecedent and the petitioner shall co-operate in course of trial by putting appearance as and when required by the trial court and two consecutive failure to attend the trial would lead to cancellation of his bail.

The application is disposed of accordingly.

(Rajeev Ranjan Prasad, J)

Dilip, AR

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