

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50866 of 2018

Arising Out of PS. Case No.-57 Year-2018 Thana- MADHEPUR District- Madhubani

Sarwan Kumar Ram, Son of Late Ram Khelawan Ram, Resident of Village Bahera Kamalpur, P.S. Bheja, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hriday Narayan Harshit

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 28-09-2018 Heard learned counsel for petitioner and learned counsel for the State.

The petitioner, who is in custody, seeks bail in connection with Madhepur P.S. Case No. 57 of 2018 (G. R. No. 634 of 2018) registered for the offences punishable under Section 400 of the Indian Penal Code and under Sections 25(1-b)A, 26 and 35 of the Arms Act.

Informant is the police officer, who in his self statement has stated that on a secret information he along with other police personnel reached at the place of occurrence and apprehended co-accused Mukesh Yadav and two other co-accused persons fled away and on search automatic loaded pistols with cartridge and other loaded pistol was also recovered from the possession of Mukesh Yadav.



It has been submitted on behalf of the petitioner that petitioner is innocent and has committed no offence. Name of the petitioner has surfaced in this case on the basis of confessional statement of co-accused Mukesh Yadav. Nothing has been recovered from the possession of petitioner. It has been further submitted that co-accused Pramod Mahto has been granted bail by the court below. Petitioner has no criminal antecedent and he is in custody since 26.05.2018.

Considering the facts and circumstances of the case, let above named petitioner be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st, Jhanjharpur, District Madhubani, in connection with Madhepur P.S. Case No. 57 of 2018 (G. R. No.634 of 2017).

(S. Kumar, J)

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