

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61447 of 2018

Arising Out of PS. Case No.-99 Year-2018 Thana- MUFFASIL District- West Champaran

Mithu Singh, S/o Chuman Singh, R/o Chaubey Tola, P.S.- Chanapatiya,
District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey
For the Opposite Party/s : Mr. Sri Binod Kumar 3

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 08-10-2018 Heard both sides.

The petitioner seeks bail in Bettiah Muffasil (Banuchhapar) P.S. Case No.99 of 2018, registered under Sections 399 and 402 of the Indian Penal Code and under Sections 25(1-b) a, 26, 35 of the Arms Act.

The informant after having received secret information about the assemblage of criminals for preparation of cognizable offence raided the place. The petitioner and three others were apprehended. On search, from possession of the petitioner, one loaded country made pistol was recovered. Petitioner is in jail since 14.03.2018.

It is submitted that petitioner has already remained in jail for more than seven months. Similarly situated co-accused, namely, Sandeep Giri and Alok Jha have already been granted



bail vide order dated 20.09.2018 and 14.09.2018 passed in Cr. Misc. No.47623 of 2018 and Cr. Misc. No.50235 of 2018 respectively.

Having considered the facts that only one country made pistol has been recovered from possession of the petitioner, although the petitioner has got criminal antecedent but similarly situated two accused persons have already been granted bail, petitioner, above named, 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 CJM, Bettiah, West Champaran in connection with Bettiah Muffasil (Banuchhapar) P.S. Case No.99 of 2018 subject to the conditions that one of the bailors shall be family member of the petitioner and if the petitioner commits any crime, the learned court below shall be at liberty to cancel the bail bond of the petitioner.

(Prabhat Kumar Jha, J)

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