

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8708 of 2019

Arising Out of PS. Case No.-140 Year-2018 Thana- SIDHWALIYA District- Gopalganj

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PRABHAT MANJHI Son of Late Chathu Manjhi Resident of Village-
Taraiya, P.S.-Taraiya, District-Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh, Adv.
For the Opposite Party/s : Mr.Rana Randhir Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 14-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since 18.07.2018 in a case registered for the offences punishable under Sections 399, 402, 414, 120B of the Indian Penal Code and Sections 25 (1-B)a, 26, 35 of the Arms Act.

The prosecution case got initiated on the self written statement of Amrendra Kumar Sah, A.S.I.-cum-SHO to the CJM, Gopalganj Police Station is to the effect that on 17.07.2018, an information was received that 5-6 persons have



gathered with an intention to commit some offence, whereupon a raid was laid and on seeing the police, the accused persons started fleeing away but on chase being made, two of them were apprehended, i.e., the petitioner Prabhat Manjhi and the co-accused Sunil Kumar Mahto. It is further alleged that from the possession of the petitioner, one 9.mm pistol having logo of USA and three cartridges loaded therein were recovered.

It is submitted by learned counsel for the petitioner that the petitioner is not named in the FIR, rather he has been remanded in the present case only on the basis of the suspicion. It is further submitted that the investigation has already been concluded and a statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP for the State submits that recovery of loaded pistol has been made from the possession of the petitioner.

Considering the fact that investigation has already been concluded, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released



on bail, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II, Gopalganj, in connection with Sessions Trial No.699 of 2018, arising out of Sidhwaliya P.S. Case No. 140 of 2018.

(Dinesh Kumar Singh, J)

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