

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10662 of 2019

Arising Out of PS. Case No.-256 Year-2018 Thana- BARH District- Patna

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MUKESH KUMAR Son of Ravindra Yadav Resident of Village- Bahrawan,
Police Station- Barh, District- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Tej Narayan Singh

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 22-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
22.07.2018 in a case registered for the offence punishable
under Sections 25(1-B)a, 26, 35 of the Indian Penal Code.

It is alleged that during patrolling, four persons were
found in suspicious condition by the Sub-Inspector of Police,
Barh Police Station on 17.07.2018, though on seeing the
police, two accused persons escaped from the scene, but the
petitioner was apprehended. During frisking, from a bag, one
country made loaded pistol, four country made pistol and
eleven cartridges were recovered.

It is submitted by learned counsel for the petitioner
that the petitioner has been framed in the present case



maliciously and the investigation has already been concluded. It is further submitted that though the petitioner is accused in one other cases apart from the present, but in all these cases, he is on bail.

Learned APP for the State submits that the recovery of arms have been made from the possession of the petitioner.

Considering the fact that the investigation has already been concluded and the period under custody, 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 ACJM, Barh, Patna in connection with Barh P.S. Case No. 256 of 2018.

Since the petitioner is having serious criminal antecedent, learned Court below will be at liberty to cancel the bail bonds of the petitioner, if he defaults for three consecutive occasions or gets involved in some serious nature of offence.

(Dinesh Kumar Singh, J)

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