

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.14596 of 2019

Arising Out of PS. Case No.-297 Year-2018 Thana- WARISNAGAR District- Samastipur

Sanjay Kumar Mahto @ Sanjay Kumar, Son of Late Ramjatan Mahto,
Resident of Village- Daulatpur, Police Station- Warisnagar (Mathuapur O.P.),
District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh

For the Opposite Party/s : Mrs. Asha Kumari

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 11-03-2019 Heard leaned counsel for the petitioner and
learned APP for the State.

The petitioner is languishing in custody since
30.10.2018 in a case registered for the offences punishable
under Sections 399, 402 and 414 of the Indian Penal Code and
Sections 25(1-B)a, 26 and 35 of the Arms Act.

The prosecution case is that during patrolling, a secret



information was received that some miscreants were preparing to commit a dacoity. Whereupon, for the purpose of raiding, when the informant along with other police personnel reached at Lakshmi Chowk, he saw five accused persons along with three motorcycles, talking with each other. On seeing the police personnel they tried to flee away, but on chase being made five persons including the petitioner were apprehended. It is further alleged that from the possession of the petitioner, a mobile phone was recovered.

It is submitted by learned counsel for the petitioner that there is no recovery from the conscious physical possession of the petitioner. 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 the petitioner was apprehended from place of occurrence, while preparing for commission of dacoity.

Considering the nature of recovery from the petitioner, 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
CJM, Samastipur in connection with **Warisnagar**
(Mathurapur O.P.) P.S. Case No.297 of 2018.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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