

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13398 of 2019

Arising Out of PS. Case No.-5 Year-2019 Thana- RAJGIR District- Nalanda

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Pankaj Kumar, Son of Nawal Yadav, Resident of Village - Shahpur, P.S.-
Rajgir, Distt - Nalanda.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rewti Kant Raman

For the Opposite Party/s : Mr. Shyam Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 07-03-2019 Heard leaned counsel for the petitioner and
learned APP for the State.

The petitioner is languishing in custody since
04.01.2019 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 as per the written report of
Santosh Kumar, Inspector of Police-cum-SHO, Rajgir Police



Station submitted to CJM, Biharsharif, Nalanda is to the effect that on 02.01.2019, a secret information was received that some miscreants have gathered in I.T.I. college campus and are planning to commit dacoity. Whereupon, a raid was laid and on seeing the police personnel, they tried to flee away, but five persons were apprehended from the place of occurrence. It is further alleged that from the possession of petitioner, a motorcycle and a mobile phone were recovered and from the possession of other accused persons, arms and ammunition were recovered.

It is submitted by learned counsel for the petitioner that alleged motorcycle and mobile phone belongs to the petitioner and no fire arm has been recovered from the 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 petitioner was apprehended from the place, where the accused persons were preparing the dacoity.

Considering the nature of recovery, 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, Bihar Sharif (Nalanda)** in connection with **Rajgir P.S. Case No.05 of 2019**.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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