

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15830 of 2019

Arising Out of PS. Case No.-5 Year-2019 Thana- GADHPURA District- Begusarai

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PRAMOD KUMAR @ PRAMOD MAHTO Son of Dukha Mahto Resident of
Village - Kumbhi, P.S.- Cheriawariyapur, Distt – Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Tarun Prasad Mandal

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

2 14-03-2019 Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the State.

Petitioner is languishing in judicial custody since
14.01.2019 in connection with Gadhpura P.S. Case No. 05 of
2019 for offences punishable under Sections 399/402/414 of the
Indian Penal Code and Section 25 (1-B) a/35 of the Arms Act.

The prosecution case as lodged by the police
personnel is that during patrolling duty, a passenger car was
found and on seeing the police one co-accused with a pistol
managed to flee away. The vehicle was intercepted and the



petitioner along with four other co-accused were found in the vehicle. On search from the possession of the petitioner one mobile was recovered but from the search of the vehicle five live cartridges and two bottles of 375ml of illicit liquor was recovered. Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history, no incriminating article has been recovered from his conscious possession and he was just a passenger in the passenger vehicle. He submits that neither the vehicle belongs to him nor the incriminating articles belonged to him and he is languishing in judicial custody since two months.

However, learned APP for the State opposes the prayer for bail.

Considering the nature of allegations and the materials of record, let the petitioner above named 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 Additional District Judge-2-cum-Special Judge, Excise Act, Begusarai in connection with Gadhpura P.S. Case No. 05 of 2019, subject to the condition that one of the bailors would be close relative of the petitioner having sufficient



immovable properties, who will file an affidavit stating his
relationship with the petitioner.

(Nilu Agrawal, J)

devendra/priyanka

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