

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16351 of 2019

Arising Out of P.S. Case No.-387 Year-2018 Thana- MALSALAMI District- Patna

JITENDRA KUMAR DAS, aged about 25 years, Male, S/o Rambalak Das
R/o Mohalla- Batta Rampur, P.S.- Chanan, Dist.- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.N.K.Agrawal, Senior Advocate
	:	Mr.Prakash Chandra Agrawal, Advocate
For the Opposite Party/s	:	Mr.Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 26-03-2019 Heard the learned counsel for the petitioner and
learned counsel appearing on behalf of the State.

Petitioner is languishing in judicial custody since
07.11.2018 in connection with Malsalami P.S.Case No.387 of
2018 for the offence alleged under Sections 25(1-b) a, 26 and 35
of the Arms Act.

The prosecution case as lodged by the police
personnel is that on secret information that during course of
patrolling, the police apprehended three persons including the
petitioner and on search from the possession of the petitioner,
one country made pistol with one live cartridge 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 antecedent and is a victim of highhandedness of the police. He submits that no overt-act has been alleged against the petitioner. Chargesheet has already been submitted and the petitioner is languishing in judicial custody since more than four months.

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

Considering the facts and circumstances and the materials on record as well as the nature of allegations, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Malsalami P.S.Case No.387 of 2018 to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Patna City, District-Patna subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

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