

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19092 of 2019

Arising Out of PS. Case No.-17 Year-2018 Thana- CHAKAI District- Jamui *

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PRAKASH MURMU, Son of Mangra Murmu, Resident of Barkhutia, P.S.-
Chakai, District - Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar

For the Opposite Party/s : Mr. Lakshmi Kant Sharma

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 01-04-2019 Heard leaned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since 13.02.2018 in a case registered for the offences punishable under Sections 120B of the Indian Penal Code and under Sections 25(1-B)a, 26 and 35 of the Arms Act and under Sections 16, 17, 18, 19 and 20 of the U.A.P. Act.

The prosecution case as per the self statement of Sumit Kumar, S.I. of Dewri P.S. on 11.02.2018 at 06.00 P.M. is to the effect that on the same day, from Bhatuakunda-Tetaria



Forest, two naxalites namely, Sanjay Hasda and Sukhdeo Murmu were arrested who confessed that in the leadership of Sidhu Koda, some other naxalites are preparing to commit some serious offence, as a result, a raid was laid and two persons were arrested namely, Prakash Murmu (the petitioner) and Ambu Marandi (co-accused). It is further alleged that from the possession of the petitioner, one loaded country made rifle and fifty live cartridges were recovered.

It is submitted by learned counsel for the petitioner that nothing has been recovered from the conscious physical possession of the petitioner and maliciously the petitioner has been roped in the present case. Investigation has already been concluded. 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 recovery of arms were made from the possession of the petitioner.

Considering the fact that the investigation has already been concluded, coupled with the 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



**ACJM 3rd, Jamui in connection with Chakai P.S. Case No.17
of 2018.**

(Dinesh Kumar Singh, J)

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