

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40429 of 2019

Arising Out of PS. Case No.-791 Year-2017 Thana- NAWADA District- Nawada

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SAMIR RAJ @ RAJA @ SAMEER Son of Shyam Yadav @ Chhotan Yadav
Resident of Village - Mohalla- P.S.- kadamkaun, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binay Kumar Singh
For the Opposite Party/s : Mr.Jagdhari Prasad

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-07-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the offences under Sections 399, 402, 414, 120(B) of the Indian Penal Code and 25(1-b)a, 26 and 35 of the Arms Act.

Prosecution case, in short, is that on seeing the police party, the accused persons started fleeing but were apprehended by the police and from the possession one loaded countrymade pistol was recovered.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 20.11.2017. Charge-sheet/prosecution report has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the



present case. There is no recovery of any incriminating articles from the possession of the petitioner. Arms is alleged to have been recovered from the co-accused Shiv Kumar. The petitioner has remained in custody for about one and a half year.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-VII, Nawada in connection with Nawada Town P.S. Case No. 791 of 2017.

(Sudhir Singh, J)

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