

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34659 of 2019**

Arising Out of PS. Case No.-233 Year-2018 Thana- PARSA District- Saran

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MUNNA MIAN @ DANISH EQBAL Son of Abbas Mian @ Md. Abbas
Resident of Village- Harpur, Parsa, P.S.- Parsa, District- Saran.

... .. 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 : Mrs.Rina Sinha

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 28-05-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
08.02.2019 in a case registered for the offences punishable
under Sections 399, 402 of the Indian Penal Code and Sections
25(1-B)a, 26 of the Arms Act.

The prosecution case is that on the basis of secret
information being received by the informant to the effect that
some miscreants are preparing to commit dacoity, a raid was
laid, when on seeing the police party, one person tried to flee



away from the scene, but on chase being made by the police, he was apprehended. The apprehended accused disclosed his name as Manoj Kumar Pathak and on frisking, one loaded country made pistol was recovered from his possession. The name of the petitioner subsequently sprang up during investigation as a person who also shared the common intention in commission of the crime.

It is submitted by learned counsel for the petitioner that the petitioner is in custody since 30.09.2018 in connection with Parsa P.S. Case No. 198 of 2018 when the present case was registered on 12.12.2018 and the petitioner was remanded from the earlier case to the present case, hence on this score alone, the whole accusation against the petitioner gets demolished. The petitioner is accused in two other cases apart from the present case, but he is on bail in all those cases.

Learned APP for the State submits that the name of the petitioner sprang up during investigation.

Considering the fact that on the date of registering the FIR, the petitioner was in custody in connection with other cases, 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, 13th, Saran at Chapra in connection with Parsa P.S.
Case No. 233 of 2018.

(Dinesh Kumar Singh, J)

Ashwini/-

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