

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40790 of 2019

Arising Out of PS. Case No.-115 Year-2018 Thana- NAUHATTA District- Rohtas

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ABHISHEK @ ABHISHEKH @ AJIT KUMAR Son of Late Dukhan Mahto
Resident of Village- Mansa Bigha, P.S.- Tandwa, District- Aurangabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Santosh Kumar Pandey

For the Opposite Party/s : Ms.Gulnar Begum

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 08-07-2019 Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in Nauhatta P.S. case no. 115 of 2018 instituted for the offence under Sections 394, 307, 326, 401 of the Indian Penal Code and Sections 25(-b)a, 26/35/27 of the Arms Act.

Learned counsel for petitioner is permitted to make necessary correction in para 3 of the bail petition.

Learned counsel for petitioner submits that there is no recovery of any looted amount of Rs. 2,50,000/- from possession of petitioner. No any injured person was brought for treatment at PHC. The police personnel themselves became the witness of alleged seizure-memo of recovery for firearms and live cartridges.

In the written report, it is alleged that police got information that three persons are fleeing away on motorcycle with



looted money. It is further alleged that on chase police apprehended three persons. It is alleged that one country made pistol with live cartridge and one fired cartridge have been recovered from possession of petitioner. It is further alleged that petitioner confessed before the police that due to firing made by him grievous injury has been caused to one person. Learned counsel for petitioner submits that no any injured person was brought by police to show that grievous injury has been caused to him. There is no recovery of any looted amount from possession of petitioner. The other co-accused of this case has already been granted bail by a co-ordinate Bench of this Court vide order passed in Cr. Misc. No. 16380 of 2019.

Petitioner is in custody since 5.10.2018.

Considering the aforesaid, let the petitioner, above named, 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 the JM-1st Class, Dihri, Rohtas, in connection with Nauhatta P.S. case no. 115 of 2018 subject to the condition that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J)

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