

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38243 of 2019

Arising Out of PS. Case No.-13 Year-2019 Thana- AGRER District- Rohtas

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DURGA CHOUDHARY, aged about 35 years (Male), Son of Sri Kameshwar Choudhary, Resident of Village - Shivpur Chitauli (Turki Tola), P.S.- Agrer, Distt - Rohtas.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Sunil Kumar Pathak, Advocate.

For the Opposite Party : Mr.Chandra Sen Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-06-2019 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner is languishing in custody since 17.02.2019 in a case for the offence registered under Sections 414 of the IPC, 25(1-b)a and 26 of the Arms Act.

The prosecution story, in brief, is that on 17.02.2019 on secret information, the informant went at the house of the petitioner and recovered one country made pistol alongwith five live cartridges from the beneath of the bed and one Motorcycle without any number from the house of the petitioner.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no



allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. One country made pistol alongwith five live cartridges is alleged to have been recovered from the beneath of the bed and one Motorcycle is alleged to have been recovered from the house of the petitioner. There is no compliance of Section 100 of Cr. P.C.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let 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 the learned C.J.M. Rohtas at Sasaram in connection with Agrer P.S. Case No. 13 of 2019.

(Sudhir Singh, J)

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