

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75630 of 2018

Arising Out of PS. Case No.-193 Year-2018 Thana- CHAUSA District- Madhepura

Mithun Singh, Son of Anil Singh @ Anil Kr. Singh, resident of Village-
Dumra, P.S. Bhagwanipur, District- Purnea.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dinesh Prasad Verma, Adv.

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 24-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
26.07.2018 in a case registered for the offence punishable
under Sections 25(1-B)a, 26, 35 of the Arms Act.

The prosecution case as per the self statement of S.I.
Suman Kumar Singh of Chausa Police Station to the effect that
on 25.07.2018 at 1.00 A.M., the informant along with other
police officials went to Village -Dhuria Sautari and raided the
house of co-accused, Sudama Yadav in connection with S.T.
No.179 of 2009. On seeing the police, two persons started
escaping from the scene, but on chase being made, both of
them were apprehended by the police. On frisking, from the
possession of the petitioner Mithun Singh, a country made
pistol and several live cartridges were recovered whereas from



the co-accused Sudama Yadav huge quantity of arms were recovered.

It is submitted by learned counsel for the petitioner that actual recovery was made from the house of co-accused Sudama Yadav, but since the petitioner was present there, hence, on the basis of mere suspicion, he has been roped in in the present case. 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 after going through the case diary submits that the recovery has not been made from the petitioner.

Considering the period of custody, coupled with 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 SDJM, Udakishunganj, Madhepura, in connection with Chausa P.S. Case No. 193/2018.

(Dinesh Kumar Singh, J)

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