

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51794 of 2019

Arising Out of PS. Case No.-138 Year-2018 Thana- MAHUA District- Vaishali

ISTEHAK @ MD. ISTEYAK Son of Kamaluddin @ Lalu @ Md.
Kamaluddin Resident of Village-Sadapur, Mahua, P.S.-Mahua, District-
Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Satyendra Narayan Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 20-08-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Mahua P.S.Case no.138 of 2018 registered for offences punishable under Sections 399, 402, 414/34 of the Indian Penal Code and Section 25(1-BA/ 26/35 of the Arms Act.

Police got information that some miscreants are preparing for *dacoity*, raided the place of occurrence and arrested three accused persons and from them one looted motorcycle and two country-made pistol with cartridges were recovered and they have disclosed the name of the petitioner and other accused persons who were succeed in fleeing away.

Submission of the learned counsel for the petitioner is that they have falsely been implicated in this case and there is



nothing against him except confessional statement of the co-accused and he has no criminal antecedent also.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, this application is disposed of with direction to the court below to verify the criminal antecedent of the petitioner and if there is no criminal antecedent, he shall be released on bail in connection with Mahua P.S.Case no.138 of 2018 to the satisfaction of the learned court below itself otherwise he has to surrender and pray for regular bail.

With the aforesaid direction, this application is disposed of.

(Vinod Kumar Sinha, J)

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