

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59193 of 2019

Arising Out of PS. Case No.-193 Year-2019 Thana- AMARPUR District- Banka

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RAJA THATHERA @ RAJA THATERI @ RAJ KUMAR @ RAJU
THATHERA @ RAJA KUMAR Son of Rajesh Kumar Sha @ Rajesh Sah
Kasera Resident of Amarpur, Police Station-Amarpur, District-Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Praveen Kumar

For the Opposite Party/s : Mr.Md. Mushtaque Alam

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-09-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under
Sections 399, 402 of the Indian Penal Code and Sections 25(1-
b)a, 26, 35 of the Arms Act.

Allegation is that one country made loaded pistol, a
long knife and a pointed rod are recovered.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 2.5.2019 and has got no
criminal antecedent. Charge sheet has been submitted in the
case. There is no allegation of tampering of witnesses alleged
against the petitioner. Petitioner has falsely been implicated in
the present case. The petitioner was not apprehended on the spot



nor he is named in the F.I.R. His name has come in course of investigation on the basis of confession made by co-accused. There is no recovery of arms from the possession of the petitioner.

On behalf of the State, it is submitted that the petitioner is not 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 learned Chief Judicial Magistrate, Banka in connection with Amarpur P.S. case No.193 of 2019.

(Sudhir Singh, J)

Narendra/-

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