

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81457 of 2019

Arising Out of PS. Case No.-74 Year-2019 Thana- SAHIYARA District- Sitamarhi

Bhola Paswan, (Male), aged about 45 years, Son of Indal Paswan, Resident of Village - Manariya, P.S.- Sahiyara, District- Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Pushpendra Kumar Singh, Advocate.
For the Opposite Party : Mr.Ajay Kumar Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-12-2019 Heard learned counsel for the petitioner and learned A.P.P. for the State.

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

The prosecution story, in brief, is that on 17.08.2019 in the night, the police on secret information caught this petitioner and other co-accused Mahurendra Singh and recovered one loaded country made pistol alongwith one live cartridge and one Samsung Mobile from possession of co-accused Mahurendra Singh and one Samsung Mobile from possession of Bhola Paswan (petitioner).

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 19.08.2019. 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 Mobile is said to have been recovered from possession 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. Sitamarhi, in connection with Sahiyara P.S. Case No. 74 of 2019.

(Sudhir Singh, J)

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