

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29652 of 2020

Arising Out of PS. Case No.-34 Year-2020 Thana- KANHAWLI District- Sitamarhi

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AASHIK SHEKH Son of Gafar Shekh Resident of Village- Bishunpur, P.S.-
Saiyara, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-11-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the Office, within a period
of four weeks from the date of restoration of normalcy.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the
offences under Sections 399, 402, 414 of the Indian Penal Code
and 25(1-B)a, 26 and 35 of the Arms Act.

Prosecution case, in short, is that when the police party
reached the place of occurrence, two live cartridges were



recovered from the possession of the petitioner.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 15.3.2020. Charge-sheet has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. It is alleged that two live cartridges were recovered from the petitioner. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that 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, Sitamarhi in connection with Kanhauli P.S. Case No. 34/2020.

(Sudhir Singh, J)

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