

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86949 of 2019

Arising Out of PS. Case No.-424 Year-2019 Thana- FORBESGANJ District- Araria

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MUKESH PANDEY @ BIRJU PASWAN, aged about 30 years, Male, S/o Late Mahadev Pandey, Resident of Mohalla- Farbisganj By Pass Road, Farbisganj, P.S.- Farbisganj, Dist- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Adv.

For the Opposite Party/s : Mr.Shyam Bihari Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 18-01-2020 Heard learned counsel for petitioner and learned counsel for the State.

Petitioner, who is in custody, seeks bail in a case registered for the offences punishable under Sections 339 & 402 of the Indian Penal Code and Sections 25(I-B), 26/35 of the Arms Act.

Informant has alleged in his written complaint that he received a secret information that some miscreants have assembled to commit some grave crime along with arms and ammunitions and as he reached said place then on seeing the police party miscreants assembled there fled away and from a bag four pistols were recovered which were concealed in the maize field by the miscreants assembled there and thereafter



house of accused Shivratan Das was raided and from his room four live cartridges were recovered however, accused Shivratan Das was apprehended while he was fleeing away and disclosed the name of his associates as Md. Firoj, Md. Rais and Mukesh Pandey (petitioner).

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been falsely implicated in this case. Neither he was apprehended on the spot nor any arms and ammunitions have been recovered from his possession. He is in custody since 26.05.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria, in connection with Farbisganj P.S. Case No. 424 of 2019, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be represented on each and every date fixed by the court.
- (3) If the petitioner tampers with the evidence or the



witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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