

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16681 of 2015

Arising Out of PS.Case No. -188 Year- 2014 Thana -NARDIGANJ District- NAWADA

1. Ranjit Kumar @ Rana Son of Sri Vijendra Singh resident of village - Kataridih Sarai, P.S. Katari Sarai, District - Nalanda
2. Gaurav Kumar @ Chhoti Son of Sri Narendra Prasad Singh resident of village - Fatehpur, P.S. Fatehpur, District - Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.23019 of 2015

Arising Out of PS.Case No. -188 Year- 2014 Thana -NARDIGANJ District- NAWADA

1. Prabhat Kumar @ Bablu. Son of Rama Awtar Singh. Resident of village - Sahajpura, P.S.- Nardiganj, District - Nawadah.
2. Ranjeet Kumar Chauhan, Vishwajit Kumar. Son of Ramanuj Sharma. R/o Mohalla - Newarea, Nawadah, P.S.- Nawada Town, District - Nawadah.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.16681 of 2015)

For the Petitioner/s : Mr.Rajeev Nayan
For the Opposite Party/s : Mr. Amrendra Pd.(App)

(In Cr.Misc. No.23019 of 2015)

For the Petitioner/s : Mr. Hansraj
For the Opposite Party/s : Mr. Braj Kishore Prasad (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-06-2015 Heard learned counsel for the parties in both the cases as they have been taken up together.

The petitioners seek their bail in Nardiganj P.S.Case No.188 of 2014 registered under Section 414 of the Indian Penal Code and sections 25(1-b)A, 26 and 35 of the Arms Act.

It is alleged by the informant that when, on a secret information, he along with other police officials raided the Car in which all the apprehended miscreants were sitting, some fire-arms were recovered from the Car.

It has been submitted on behalf of the petitioners that on search of the car, four country made pistols and one country made rifle were recovered. Further it has been submitted that the offence under the Arms Act could not be attracted. As the recovery was not made from the conscious possession of the petitioners. As far as section 414 I.P.C is concerned, there is no evidence to show that the Car, on which the petitioners were travelling, was a stolen property. It is further submitted that the petitioners have no criminal antecedent and they are in custody since 31.12.2014.

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

Considering the facts aforesaid, all the four petitioners, named above, are directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Nawada in connection with Nardiganj P.S.Case No.188 of 2014 (G.R.No.3496 of 2014).

(Sudhir Singh, J)

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