

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3304 of 2015

Arising Out of PS.Case No. -398 Year- 2014 Thana -ARARIA District- ARRARIA

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Md. Meraj @ Guddu, Son of Md. Mustafa, Resident of Village –
Chandbhag Madanpur, Police Station – Bairagachhi, District – Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Naushad Uzzoha, Advocate.

For the Opposite Party/s : Mr. Dr. Ajit Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 27-01-2015

Heard both sides.

The petitioner apprehends his arrest in Araria P.S.
Case No. 398 of 2014, registered for the offences punishable
under Sections 25(1-B)a, 26/35 of the Arms Act and Section 120B
of the Indian Penal Code.

The arms and ammunitions were recovered from the
Gumti of Amod Kumar Sah and from the dickey of the motorcycle
of Amod Kumar Sah.

Learned counsel for the petitioner submits that no
recovery is made from the possession of the petitioner. Amod
Kumar Sah has not been made accused from whose conscious
possession arms and ammunitions were recovered. Amod Kumar
Sah is said to have disclosed that the petitioner had taken his
motorcycle and he might have planted the arms in the motorcycle

and on such the petitioner has been made accused.

It appears from the seizure list as well as the fardbeyan of the informant that arms and ammunitions were recovered from possession of Amod Kumar Sah, also from dickey of his motorcycle and on the statement of Amod Kumar Sah the petitioner has been made accused.

Considering the facts aforesaid, the petitioner, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged 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 learned Chief Judicial Magistrate, Araria in connection with Araria P.S. Case No. 398 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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