

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.1317 of 2015**

Arising Out of PS.Case No. -182 Year- 2014 Thana -ROSERA District- SAMASTIPUR

=====

Ram Babu Sharma

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR**  
**SRIVASTAVA**  
**ORAL ORDER**

2      13-01-2015

Heard learned counsel for the petitioner and learned  
counsel, appearing for the State.

According to prosecution case itself, two co-accused  
persons were already in police custody and on the basis of their  
disclosure, the raid was conducted and the petitioner and two  
others were arrested on the spot and on search, two live cartridges  
were recovered from conscious possession of the petitioner.  
Furthermore, the informant states in his statement that three co-  
accused were not there when the raid was conducted.

The contention on behalf of the petitioner is that no  
case under Section-399 read with Section-402 of the Indian Penal  
Code is made out and so far as recovery of cartridges is  
concerned; only two cartridges are said to have been recovered  
from conscious possession of the petitioner.

Considering the aforesaid facts and circumstances of  
the case as well as submission of the parties, let the petitioner,

named above, be released on bail on furnishing bail bond of Rs 10,000/- (ten thousand) with two sureties of the like amount each in connection with Rosera P.S. Case No. 182 of 2014 to the satisfaction of Additional Chief Judicial Magistrate, Rosera, Samastipur.

**(Hemant Kumar Srivastava, J)**

A.K.V./-

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