

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.27877 of 2015

Arising out of PS.Case No. -217 Year- 2014 Thana -BATHNAHA District- SITAMARHI

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Raju Kushwaha @ Raju Kumar, Son of Asharfi Mahto, resident of village -
Kohwarwa, P.S. Sonebarsa, District – Sitamarhi.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Pushpendra Kumar Singh, Advocate.

For the Opposite Party : Mr. Braj Kishore Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-07-2015 The petitioner is apprehending his arrest in connection

with Bathnaha P.S. Case No. 217 of 2014 for the offences

instituted under Sections 25(1-b) a, 26 and 35 of the Arms Act.

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

The prosecution story, in brief, is that on the date of
occurrence, the police, on confidential information, apprehended
three persons, who disclosed their names as Jeevachha Ram,
Nazre Alam and Vivek Giri and one person managed to run away,
who was Raju Kushwaha(petitioner). The police made search of
the apprehended persons and recovered loaded pistol and fire arms
from their possession, as mentioned in the written report, as well
as other articles. The apprehended persons could not produce

document with respect to the fire arm, cartridges and motorcycle etc., before the police. The police prepared the seizure list and arrested all those three persons.

It has been submitted on behalf of the petitioner that the petitioner has not been apprehended on the spot. The name of the petitioner has come on the basis of confession of the co-accused. It is further submitted that the petitioner has got no criminal antecedent.

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

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Bathnaha P.S. Case No. 217 of 2014 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Sitamarhi, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)