

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12918 of 2015

Arising Out of PS.Case No. -266 Year- 2014 Thana -KHAIRA District- JAMUI

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1. Kasim Ansari S/o Muso Mian Resident of Village Garhi (Dumrojo), P.S. Khaira, District Jamui.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar, Advocate

For the Opposite Party/s : Mr. Ajay Kumar 2 (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-05-2015

The petitioner is apprehending his arrest in connection with Khaira P.S. Case No. 266 of 2014 for the offence under Sections 25(1-b), 26, 35 of the Arms Act and 3/4 of the Explosive Substances Act.

Heard learned counsel for the petitioner and the State.

The prosecution story, in brief, is that during raid from the house of petitioner one country made gun was recovered.

It is submitted on behalf of the petitioner that petitioner has got no criminal antecedent. Further it has been submitted on behalf of the petitioner that the provision of Arms Act is not attributed against him as there is no recovery from his conscious possession. The petitioner has been falsely been implicated in the present case.

On behalf of the State, it has been submitted that the petitioner has been named in the First Information Report.

Considering the aforesaid fact that there is no recovery from the conscious possession of the petitioner, let the above named petitioner, in the event of his arrest or surrender in the court below within a period of eight weeks, 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 learned Judicial Magistrate, Ist Class, Jamui in connection with Khaira P.S. Case No. 266 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Sudhir Singh, J)

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