

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.26500 of 2015**

Arising Out of PS.Case No. -144 Year- 2013 Thana -BELSAND District- SITAMARHI

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Rajesh Sah @ Rajesh Kumar @ Gorwa, Son of Raj Kishore Sah @ Jhajju  
Sah, resident of Village - Kansar, P.S. Belsand, District - Sitamarhi

.... .... Petitioner/s

Versus

The State of Bihar

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

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**Appearance :**

For the Petitioner/s : Mr. Vinod Kumar, Advocate

For the Opposite Party/s : Mr. Md. Ataur Rahman (APP)

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      27-07-2015                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner is in custody in a case registered under  
Sections 25(1-B)A and 26(ii) of the Arms Act.

The prosecution case, in brief, is that the Police Sub-  
Inspector of Belsand Police Station gave a Fard beyan before  
the Chief Judicial Magistrate, Sitamarhi stating therein that on  
28.11.2013, two accused, namely, Jitendra Sah and Ranjit  
Mahto were arrested in connection with Parsauni P.S. Case  
No.146/13 under Sections 302/34 of the Indian Penal Code and  
27 of the Arms Act and they confessed their involvement in the  
said occurrence and also confessed that the petitioner had fired  
upon the deceased and also inflicted knife blow to the deceased  
and he took away the arms with him and on that basis, the  
informant along with other Police officials searched the house

of the petitioner and recovered one country made *Katta* and one iron *Gupti*. The petitioner was not found at his house and his *Bhabhi* disclosed that the said room belongs to Rajesh Sah. Thereafter the informant made seizure list in accordance with law and stated in the said Fard beyan that after reaching Police Station, offence under Section 25(1-B)A/26 of the Arms Act will be lodged against the petitioner. Hence this F.I.R.

On behalf of the petitioner, it is submitted that the petitioner is in custody since 10.2.2014 and charge sheet has been submitted in the case. As per the allegation, it is submitted that one country-made pistol is said to have been recovered from the possession of the petitioner.

On behalf of the State, it is 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 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, Sitamarhi, in connection with Belsand P.S. Case No.144 of 2013.

**(Sudhir Singh, J)**

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