

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39559 of 2014

Arising Out of P.S. Case No. -111 Year- 2010 Thana -PALANWA District- EASTCHAMPARAN
(MOTIHARI)

=====

Radha Kishun Gaddi, Son of Late Safraj Gaddi, Resident of Village - Gad
Babuiya, P.S. - Palanwa, District- East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Umesh Chandra Verma, Advocate

For the State : None

=====

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 20-03-2015 I have heard learned counsel for the petitioner. No one
appears for the State.

The petitioner apprehends his arrest in connection with
a case registered for offences punishable under Sections 341, 323
of the Indian Penal Code and Section 25(1-B)/26 of the Arms Act.

It is submitted that the petitioner himself has lodged
first information report against his elder son, his father-in-law and
his brother-in-law as accused in the case. Allegation is that the
father-in-law provided gun to his elder son from whom, he has
snatched it and informed the police station and handed over the
gun to the police. However, during the course of investigation,
the parties have compromised but the police has made allegation
against him that he had in fact obtained the gun from the orchard

two days earlier to the concerned occurrence and has falsely implicated his son and his in-laws. Learned counsel submits that any private person not being a magistrate or a police officer if seizes the gun and delivers it without delay to the officer of the nearest police station then, in such case, the police has to release that person on executing a bond with or without sureties to appear before a magistrate. It is also submitted that the petitioner does not have any criminal antecedent.

Having regard to the facts and circumstances of the case, let the petitioner, namely, Radha Kishun Gaddi, be released on bail in the event of arrest/surrender before the court below within a period of six weeks from today in Palanwa P.S. Case No.111 of 2010, on furnishing bail bond of Rs.10,000 (Ten Thousand Rupees) with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Raxaul, East Champaran at Motihari subject to the conditions as laid down under sub-section(2) of Section 438 of the Code of Criminal Procedure.

(Dr. Ravi Ranjan, J)

Sanjay-II/-

U		T	
---	--	---	--