

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14092 of 2016

Arising Out of PS.Case No. -80 Year- 2015 Thana -MORKAHI District- KHAGARIA

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1. Kalicharan Poddar S/o Madan Poddar Resident of Village Marar, P.S. Morkhai District Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Anita Kumari(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 29-04-2016 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with a case registered for the offences punishable under Sections 15(1-B), a, 26/35 of the Arms Act.

Learned counsel for the petitioner submits that the allegation against the present petitioner is that an illegal arms (Carbine) was recovered from one of the almirahs at the B.S.N.L. office where the petitioner was engaged as a *Mazdoor*. It is alleged that the petitioner was in-charge of the said almirah and, therefore, he has been implicated in this case falsely. He further submits that save and except, the aforementioned allegation, none of the seizure-list witnesses have been examined to support the

allegation that it was in the petitioner's conscious possession. He further submits that the only evidence which has come during the course of investigation is the statement of two officers of B.S.N.L, in whose presence the recovery was not made.

Considering the aforementioned facts and circumstances and that the petitioner has no criminal antecedent, let the petitioner, in the event of his arrest / surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Khagaria in connection with Morkahi P.S. Case No.80/2015, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Anjana Mishra, J)

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