

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.28620 of 2016**

Arising Out of PS.Case No. -187 Year- 2016 Thana -BUXAR District- BUXAR

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1. Himanshu Upadhyay @ Deepak @ Nagina Son of Hareram Upadhyay  
Resident of village- Shivpuri, P.S. - Buxar(T), District- Buxar.

.... .... Petitioner/s

Versus

1. The State of Bihar

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

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**Appearance :**

For the Petitioner/s : Mr. Manish Rai Sharma

For the Opposite Party/s : Mr. Sri Amrendra Prasad

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR**  
**SRIVASTAVA**  
**ORAL ORDER**

2      19-07-2016                      Heard learned counsel for the petitioner as well as  
  
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the  
offences punishable under Sections 25(1-b)A, 35 of the Arms Act.

No doubt, petitioner carries criminal antecedent of  
several cases but admittedly, nothing has been recovered either  
from possession of the petitioner or from his house and it is only  
stated that the alleged recovery was made from the house of one  
Sonu Mishra and at the time of recovery, petitioner and one  
Kamala Kant Kharwar were arrested from the place of occurrence.

Submission on behalf of the petitioner is that  
aforesaid Kamala Kant Kharwar has already been granted  
privilege of bail by a co-ordinate Bench of this Court.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Buxar in connection with Buxar(T) P.S. Case No. 187 of 2016.

**(Hemant Kumar Srivastava, J)**

SHAHZAD/-

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