

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30871 of 2016

Arising Out of PS.Case No. -113 Year- 2016 Thana -PATORI District- SAMASTIPUR

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Dipak Kumar S/o Ashok Rai, R/o Vill- Supaul, P.S.- Patory, District-
Samastipur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Dr. Om Prakash Om

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

2 04-08-2016

Heard learned counsel for the parties.

The petitioner is apprehending his arrest in a case registered for the offence punishable under sections 25(1-b)A, 26, 35 of the Arms Act.

Three persons while travelling on a motorcycle, were tried to be intercepted by the police, though the pillion riders escaped from the scene but the person driving the motorcycle was caught and disclosed his name as Noor Hussain, from whose possession one automatic country made pistol was recovered, who suggested the names of the two escapees as the petitioner Dipak Kumar and Ashish Kumar. Noor Hussain also admitted that all the three accused used to sell illegal arms. They purchased two pistols and ten cartridges from one Arjun Rai, which was to be reached to the Mukhiya of Mohanpur, out of the two pistols one was with the

apprehended accused whereas one country made pistol and ten cartridges were with the petitioner.

It is submitted by the learned counsel for the petitioner that on the confession of co-accused the name of the petitioner has transpired. There is no recovery from the petitioner. Statement has been made in paragraph 3 of the application that the petitioner has no criminal antecedent.

Let the learned court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders before the learned court below within a period of six weeks from today in connection with Patory (Mohanpur O.P.) P.S.Case No. 113/2016 pending in the court of Chief Judicial Magistrate, Samastipur.

With the aforesaid observation, this application is disposed of.

(Dinesh Kumar Singh, J)

Surendra/-

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