

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32182 of 2016

Arising Out of PS.Case No. -433 Year- 2016 Thana -AHIAPUR District- MUZAFFARPUR

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Pinkesh Kumar Son of Radha Raman Rai resident of village / Mohalla -
Umapat Basant, P.S. Aurai, District - Muzaffarpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nilesh Kumar

For the Opposite Party/s : Mr. Sri Rajendra Nath Jha

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 18-08-2016 Heard Sri Nilesh Kumar, learned counsel for the

petitioner and learned AP.P.

The sole petitioner who is in custody since 18.6.2016
in Ahiyapur P.S. Case No. 433 of 2016 registered for the offence
under section 25 (1-B)/ 26(II)/ 35 of the Arms Act, has prayed
for grant of bail.

It has categorically been stated in paragraph no. 3 of
the petition that petitioner is having clean antecedent.

Learned counsel for the petitioner submits that
petitioner runs a coaching centre in which earlier one Md. Sakil
was engaged for carrying children as tempo driver. Since his
behavior was not proper he was ousted from the coaching centre .
He submits that Md. Sakil was arrested by the police and from

his possession country made pistol with two cartridges were recovered however with ulterior motive Md. Sakil made statement that he had purchased the said recovered arm from other three persons including the petitioner. On this very ground petitioner has been made accused . It was argued that save and except the statement of the co -accused there is no other material against the petitioner.

Keeping in view the clean antecedent of the petitioner as well as the fact that petitioner has been made accused on the basis of confession of the co-accused from whose possession illegal country made pistol with two cartridges were recovered there is no reason to further detain the petitioner in custody.

Let the petitioner Pinkesh Kumar be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Muzaffarpur /concerned court in connection with Ahiyapur P.S. Case No. 433 of 2016.

(Rakesh Kumar, J)

Praful/-

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