

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10601 of 2016

Arising Out of PS.Case No. -273 Year- 2015 Thana -SAHPUR District- BHOJPUR

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1. Uma Shankar Rai Son of Radhe Krishna Rai, Resident of Village - Sarang Pur, P.S. - Shah Pur, District - Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shakti Suman Kumar

For the Opposite Party/s : Mr. Amrendra Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 09-03-2016 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under sections 147,148,149,353 and 307 of the Indian Penal Code and section 27 of the Arms Act.

The prosecution case is that the police went to the place of occurrence on receiving information that two groups are firing on each other. The petitioner was found to be one of the members of one of the groups but he escaped from the scene when the police seized used cartridges from the place of occurrence. Subsequently, from the house of the petitioner, one used cartridge and gun cleaning brush were recovered.

It is submitted by the learned counsel for the petitioner that only on suspicion the accusation has been levelled. No injury was caused to any one and the recovery has been made from the joint family house. The petitioners family has two licenced weapons though at present the same have been surrendered, hence the recovery does not suggest any substantive offence.

Considering the fact that no injury was caused to any one and the nature of recovery made from the joint family house, it is a case for consideration of the prayer for regular bail of the petitioner by the learned court below in case the petitioner surrenders within six weeks from today in connection with Shahpur P.S. Case No. 273 of 2015 pending in the court of learned JM Ist Class, Bhojpur at Ara.

This application is disposed of with the aforesaid observation/direction.

(Dinesh Kumar Singh, J)

Anil/-

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