

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22016 of 2016

Arising Out of PS.Case No. -140 Year- 2015 Thana -BARIYARPUR District- MUNGER

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1. Md. Hasim @ Bhokala @ Bhokal Son of Md. Rahman resident of village - Mirzapur - Bardah, Police Station Munger (Muffasil), District - Munger

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vipin Kumar Singh

For the Opposite Party/s Mr. Anusaiya Jaiswal(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

04/ 05.07.2016 Heard learned counsel for the petitioner as well as learned Addl. Public Prosecutor for the State.

Petitioner seeks bail in a case registered under various sections of the Arms Act.

A mini gun factory was being run at Pairumandal Diyara and it is alleged that the petitioner and others were caught from the place of occurrence and one pistol of 7.65 mm was recovered from the conscious possession of the petitioner whereas other firearms were recovered from other accused. The apparatus which were used in manufacturing arms are said to have been recovered from the place of occurrence.

Submission on behalf of the petitioner is that petitioner was caught from his house and, as a matter of fact, nothing was recovered from his conscious possession. So far as alleged recovery from the

conscious possession of the petitioner is concerned, the same is nothing but only high handedness of the police. It is also pointed out that petitioner is languishing in jail custody since 6.9.2015 and prior to institution of the present case, one case i.e. Bariyarpur P.S. Case no. 31/2014 had been registered against the petitioner.

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/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Munger in Bariyarpur P.S. Case no. 140/2015.

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(Hemant Kumar Srivastava,J)

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