

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28361 of 2017

Arising Out of PS.Case No. -173 Year- 2017 Thana -SAHARSA District- SAHARSA

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1. Rohit Kumar S/o Rajdeo Yadav R/o Village - Goriyari, P.S. - Salkhua,
District - Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma

For the Opposite Party/s : Mr. Sri Akbar Ali

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

2 06-07-2017 Heard Sri. Shiva Shankar Sharma, learned counsel for
the petitioner and Sri. Akbar Ali, learned A.P.P. for the State.

The petitioner, in the present case, is seeking regular
bail in connection with Saharsa Sadar P.S. Case No. 173 of 2017
registered under Sections 25(1-b)a, 26, 35 of the Arms Act.

At the outset, learned counsel for the petitioner submits
that although this petitioner is said to be one of the persons riding
on the motorcycle which was intercepted by the police, however,
there was no recovery of any illegal arms from his possession.
The seizure list, enclosed with the F.I.R., at Annexure-2 would
show that illegal arms were recovered from possession of Monu
Singh and Shambhu Yadav. Learned A.P.P. opposed the prayer
but no material could be pointed out to suggest recovery of arms
from the possession of the petitioner. Petitioner has got no



criminal antecedent and he is in custody since 28.02.2017.

Considering the nature of the allegation and that the petitioner has no criminal history, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand only) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Saharsa in connection with Saharsa Sadar P.S. Case No, 173 of 2017 Subject to condition as laid down under Section 437(3) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J)

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