

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.31292 of 2017**

Arising Out of PS.Case No. -45 Year- 2017 Thana -KHARAGPUR District- MUNGER

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1. Srimant Kumar, son of Ram Nandan Singh, resident of village-Sitakund  
Dih, P.S. 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. Ajit Kumar Singh, Advocate

For the Opposite Party/s : Mr. Md. Ansarul Haque, APP

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

3/ 24-07-2017

Heard learned counsel for the petitioner and the  
learned A.P.P. for the State.

The Petitioner seeks bail in Kharagpur (Shampur)  
P.S. Case No.45 of 2017 instituted for the offence under Section(s)  
25(1-A), 25(1-AA), 25(1-B) A, 25(1-B) AC, 26 (i) (ii) and 35 of  
the Arms Act.

It has been submitted on behalf of the petitioner that  
no fire arm was recovered from his conscious possession. He was  
arrested merely on suspicion from the place of occurrence.

As per written report, informant got information that  
illegal arms are being prepared at Rishi Kund mountain on large  
scale. The informant along with the raiding team reached the spot  
and on seeing the police party some persons, who were preparing  
illegal arms, started running away. The petitioner was arrested by



the police and five other persons succeeded to run away. The police searched the surrounding area and recovered articles as mentioned in the seizure list, which included one country made pistol and three half made pistol and three barrel. It is mentioned in the written report that since the area was hilly, no independent witness was present and, therefore, signature of police personnel were taken on the seizure list.

Seizure list has been enclosed with the First Information Report, wherein, it has been mentioned that the articles have been recovered from Rishi Kund mountain although there is signature of this petitioner on the seizure list.

In this manner, from the written report itself, it appears that there is no recovery from the conscious possession of this petitioner. The petitioner is said to be in custody since 14.02.2017.

In the facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the Petitioner, above named, be released on bail on furnishing bail bond of ₹10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, IV, Munger, in connection with Kharagpur (Shampur) P.S. Case No.45 of 2017, subject to the conditions that



both the bailors shall be the close relative of the petitioner.

**(Sanjay Priya, J)**

**JA/-**

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