

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.26261 of 2017

Arising Out of PS.Case No. -47 Year- 2017 Thana -NALANDA District- NALANDA
(BIHARSHARIFF)

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1. Mundrika Prasad Son of Ram Chandra Prasad, Resident of Village-
Rangila Bigha, P.S.- Nalanda, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Advocate
Mr. Babita Kumari, Advocate
Mr. Malay Kumar Choudhary, Adv

For the Opposite Party/s : Smt Pushpa Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

2 01-07-2017 Heard learned counsel for the petitioner as well as

learned APP for the State.

During conduction of raid against an accused relating to
Nalanda PS Case No. 45/2017, the prosecution party came at the
place of petitioner, seeing whom, two persons began to flee out of
whom one was apprehended who happens to be the petitioner
while remaining succeeded in his escape. It has further been
disclosed that from a room occupied by his son, Birendra Prasad
one NP Bore Rifle No. A/B 843038, 64 live cartridges, one live
cartridge of SLR, two liver cartridges of .030 were seized. It has
also been disclosed that house of one Dharam Raj has also been
raided wherefrom forged and fake documents along with SBBL
gun and 6 cartridges of 12 Bore were seized, for that two



independent seizure lists were prepared.

Contention on behalf of petitioner is that the informant maliciously launched this prosecution against this petitioner because of the fact that he happens to be a licensee one and to substantiate the same a photo copy of the license has been furnished wherefrom it is evident that the license has been renewed for the year 2017 to 2019. Furthermore, it has also been submitted that with a malafide intention seizure of other cartridges have been shown in order to justify their illegal activity. Also submitted that petitioner happens to be under custody since 02.04.2017 having no criminal antecedent.

Learned APP opposed the prayer for bail.

In the aforesaid facts and circumstances of the case, petitioner, Mundrika Prasad is directed to be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class- Nalanda in connection with Nalanda PS Case No. 47 of 2017.

(Aditya Kumar Trivedi, J)

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