

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34116 of 2017

Arising Out of PS.Case No. -263 Year- 2017 Thana -FORBESGANJ District- ARRARIA

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Shivesh Kumar s/o Bipin Jha, resident of village- Dumaria Khurd, P.S.
Parbatta, District- Khagaria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Viveka Nand Singh

For the Opposite Party/s : Mr. Sri Amitesh Kumar

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**
ORAL ORDER

2 20-07-2017 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case registered under
Sections 399 and 402 of the Indian Penal Code and Sections 26(1-
b)a, 26 and 35 of Arms Act.

As per prosecution case, in course of checking a loaded
country made pistol was recovered from rear seat of the vehicle
occupied by seven accused persons including the petitioner.

It has been submitted on behalf of the petitioner that no
incriminating article has been recovered from the conscious
physical possession of the petitioner. It has further been submitted
that the petitioner was not aware of the said arm. Besides him,
there were six other occupants of the vehicle so it could not be
definitely said that to whom said arm belongs. He is in custody
since 20.04.2017.



Having considered the facts and circumstances of the case, let, above named petitioner, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Araria in connection with Forbesganj P.S.Case No. 263 of 2017.

(Prakash Chandra Jaiswal, J)

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