

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15557 of 2017

Arising Out of PS.Case No. -104 Year- 2016 Thana -ATHMALGOLA District- PATNA

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Kameshwar Rai, Son of Jalal Rai, resident of Village- Kalyan Bhiththa,
Police Station- Athmal Gola, District- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Satyendra Prasad Singh, Advocate.

For the Opposite Party : Mr. Jagdhar Prasad, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 13-04-2017 Heard both sides.

The petitioner apprehends his arrest in Athmalgola P.S.
Case No. 104 of 2016, registered for the offences punishable
under Sections 25(1-b)a, 26 of the Arms Act.

The informant got information that the petitioner kept
illegal arms in his house on such the house of the petitioner was
raided but the petitioner managed to flee away. Two rifles were
recovered in presence of two witnesses. One boy was also present
who disclosed that his father managed to flee away.

Learned counsel for the petitioner submits that the
house from which arms without ammunitions were recovered does
not belongs to the petitioner, but from perusal of the FIR it appears
that the informant has specifically alleged that it was the petitioner



who owned that house and he was also found fleeing away from the aforesaid house where his son was present and his son also disclosed that his father managed to flee away.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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