

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29731 of 2017

Arising Out of PS.Case No. -81 Year- 2017 Thana -DAUDNAGAR District- AURANGABAD

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1. Angad Kumar @ Tullu, S/o Sudama Singh, resident of Village- Karma Kala, P.S.- Daudnagar, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Adv

For the Opposite Party/s : Mr. Sri Arun Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

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

This application for grant of regular bail has been filed on behalf of the petitioner, who is in custody with respect to Daudnagar P.S. Case No. 81 of 2017 registered for the offences punishable under Sections 25(1-B), 26(ii) of the Arms Act and Section 4/5 of the Explosive Substances Act.

The allegation against the petitioner is that on 15.04.2017, the informant who is a police officer received intelligence input that the petitioner has accumulated illegal arms and ammunitions in his house. The informant alongwith police party raided the house of the petitioner and the petitioner was caught from his house. On search being made of the house of the petitioner, two



magazines of pistol each containing five cartridges, one country made pipe gun, 20 live cartridges, 2 wired detonators, 12 unwired detonators, 2 explosives, 1 red coloured substance, 2 safety fuse wire and 1 Mc Dowell No. 1 Celebration Matured XXX Rum of 750 ml containing 600 ml wine, and other incriminating articles were recovered and sealed.

Learned senior counsel appearing on behalf of the petitioner has submitted that the petitioner is Army personnel and posted with Unit 736 Jodhpur. The petitioner has clean antecedent and has been falsely implicated in this case on account of enmity with Govind Singh and Awadhesh Singh, who were accused of murder of his brother and who are his neighbours and they were arrested in that case. One informatory petition as contained in Annexure-3 series being Informatory Petition No. 292 of 2017 dated 02.03.2017 was filed before the S.D.M. Daudnagar, Aurangabad by one of the family member of the petitioner, in which it was informed that on account of previous enmity and a case of murder being committed by Govind Singh and Awadhesh Singh, any family member of the petitioner can be falsely implicated by them (i.e. Govind Singh and Awadhesh Singh). It has been further stated that the said Govind Singh and Awadhesh Singh are witness to seizure list who are admittedly on inimical



terms with the petitioner and are accused of murdering petitioner's brother are also next door neighbours, as such there is every possibility of false implication of the petitioner.

Considering the facts and circumstances of the present case and in view of the petitioner being an army personnel having clean antecedent and raid in the house of the petitioner being committed on intelligence input, seizure witness being the neighbours of petitioner having inimical terms, the petitioner is directed to be released on bail upon furnishing bail bonds of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned **S.D.J.M. Daudnagar, Aurangabad** in connection with **Daudnagar P.S. Case No. 81 of 2017**.

(S. Kumar, J)

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