

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32409 of 2017

Arising Out of PS.Case No. -561 Year- 2016 Thana -KISHANGANJ District- KISANGANJ

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Babar Son of Late Ali Mohammad, resident of Village- Patalwa Purab Tola,
P.S. Kishanganj, District- Kishanganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amal Kumar Sinha, Advocate.

For the Opposite Party/s : Smt. Sharda Kumari, APP.

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 13-07-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Kishanganj P.S. Case
No. 561 of 2016 registered under Sections 25(1-b)a, 26 and 35 of
the Arms Act.

The petitioner along with other accused persons are
said to have snatched the bag containing money of the informant
on the point of pistol. The petitioner was apprehended by the
informant and a loaded country made pistol and a live cartridge
was recovered from his possession which was handed over to the
police by the informant.

It is submitted by learned counsel for the petitioner
that nothing incriminating article has been recovered from the



conscious physical possession of the petitioner. He has been falsely implicated in this case. Though one loaded pistol along with one live cartridge is said to have been recovered from the possession of the petitioner, but the said arm and ammunition was not recovered and seized by the police rather it was handed over to the police by the informant. The petitioner has been languishing in custody since 08.12.2016.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Kishanganj in connection with Kishanganj P.S. Case No. 561 of 2016.

(Prakash Chandra Jaiswal, J)

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