

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.52664 of 2016

Arising Out of PS.Case No. -91 Year- 2016 Thana -MAHNAR District- VAISHALI(HAJIPUR)

1. Satyam Kumar @ Bambam, Son of Ramnath Raut, resident of
Village+Narayanpur Derhpura, P.S.- Mahnar, District- Vaishali at
Hajipur Petitioner

Versus

1. The State of Bihar Opposite Party

Appearance :

For the Petitioner : Mr. Nagendra Kumar Singh, Adv.

For the Opposite Party : Mr. Akbar Ali, APP 7

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 09-02-2017 Heard the learned counsel for the petitioner and the
State.

This is a petition for grant of anticipatory bail for
offence under Sections 25(1-B)A, 26 and 35 of the Arms Act and
4 and 5 of the Explosive Substances Act.

Three persons were quarrelling with a tempo driver
who fled away and the petitioner was apprehended by the
informant and from possession of the petitioner a country made
pistol and cartridges were recovered. The informant produced the
same before the police.

Submission of the petitioner is that recovery and
production of fire arm by a private person is bailable offence, as
such, no offence under Section 27 of the Arms Act is made out.

Considering the aforesaid fact, the petitioner, above
named, in the event of his arrest or surrender, within four weeks
from the date of receipt of this order, be released on anticipatory
bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand)
with two sureties of the like amount each in connection with
Mahnar P.S. Case No. 91 of 2016 to the satisfaction of the **Chief
Judicial Magistrate, Vaishali at Hajipur**, or successor Court,
subject to the condition laid down under Section 438(2) of the
Criminal Procedure Code.

(Birendra Kumar, J)

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