

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.54020 of 2017**

Arising Out of PS.Case No. -282 Year- 2017 Thana -MASAURHI District- PATNA

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Pachu Kumar @ Panchu Kumar, S/o- Sri Ramchandra Yadav, resident of  
Village- Keshavchak, P.S.- Masaurih, District- Patna.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Vijay Kumar Sinha

For the Opposite Party/s : Smt. Sucheta Yadav

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR  
MISHRA**  
**ORAL ORDER**

2      13-11-2017                      Heard learned counsel for the petitioner and the learned  
A.P.P. for the State.

The petitioner apprehends his arrest in connection with  
Masaurih P.S. Case no. 282 of 2017, registered under Section 25(1-B)  
A, 26 of the Arms Act.

The accusation is that on 22.07.2017, in the evening,  
informant along with other Police officials proceeded for village  
Kesochak for raid in connection with Masaurih P.S. Case No. 278 of  
2017 then saw one person was fleeing after throwing country made  
pistol along with cartridges. The nearby people disclosed the name of  
the person, who fled away from there, as Panchu Kumar (Petitioner).  
On search, one country made pistol and two live cartridges were  
recovered kept behind the trunk.

Learned counsel for the petitioner submits that, in fact,  
due to dispute of partition, Pramod Kumar, brother of the petitioner,



lodged Masaurih P.S. Case No. 278 of 2017 on 22.07.2017 under Sections 341, 323, 337 and 379/34 of the Indian Penal Code, which would appear from annexure-2 to this petition. In the said case, the petitioner was allowed privilege of bail by the Court of learned Sessions Judge, Patna on 12.09.2017 vide ABP No. 4432 of 2017 due to that reason on reaching the Police personnel, the informant brother of the petitioner wanted to implicate the petitioner in this case, who is said to be fled away after throwing the pistol and cartridges. Further submission is that it would appear from the F.I.R. itself that the country made pistol and cartridges were recovered behind the trunk in the joint house for which the brother of the petitioner wants to partition.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the S.D.J.M. Masaurih in connection with Masaurih P.S. Case No. 282 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

**(Rajendra Kumar Mishra, J)**

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