

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54631 of 2016

Arising Out of PS.Case No. -17 Year- 2016 Thana -JADIA District- SUPAUL

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1. Raji Ahmad @ Chand Babu, Son of Md. Israil, resident of village - New Bhargama, Ward No. 5, Police Station - Bhargama, District - Araria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Veena Kumari Jaiswal

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 13-01-2017 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with Jadia Police Station Case No. 17 of 2016 registered for the offences punishable under Sections 25(1-B)A, 26 & 35 of the Arms Act.

One Bitu Kumar @ Suman Saurabh was caught with stolen motorcycle just after an occurrence of loot and firearm was recovered from his conscious possession. The aforesaid Bitu Kumar @ Suman Saurabh disclosed the name of his associates including the petitioner and, thereafter, the informant lodged the present case for the offences punishable under Sections 25(1-B)A, 26 & 35 of the Arms Act and a separate case, i.e, Jadia



Case No. 18 of 2016 was registered under sections 392 and 411 of the Indian Penal Code.

Submission on behalf of the petitioner is that except the aforesaid confessional statement of co-accused Bitu Kumar @ Suman Saurabh, there is nothing against the petitioner. Moreover, no offence is made out under the Arms Act against the petitioner.

Considering the aforesaid facts and circumstances as well as submissions of the parties and also taking note of the fact that except the present case as well as Jadia P.S.Case No. 18 of 2016, petitioner does not have any criminal antecedent, let the petitioner, in the event of his arrest/surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st class, Supaul in Jadia Police Station Case no. 17 of 2016, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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