

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.6411 of 2017

Arising Out of PS.Case No. -164 Year- 2016 Thana -JAMALPUR District- MUNGER

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1. Ram Pravesh Kumar Son of Radhe Ram Resident of Village- Itwa, P.S. Dharhara, District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate

For the Opposite Party/s : Mr. Narendra Kumar Singh, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 03-03-2017 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

Petitioner is languishing in judicial custody since 27.11.2016 in connection with Jamalpur P.S.Case No. 164 of 2016 registered for the offence punishable under Sections 25 (1-b)A/ 26 (1) and 35 of the Arms Act.

The prosecution case is that during patrolling duty the police personnel saw a red motorcycle with two persons riding on it, who earlier tried to flee away but later apprehended and from the possession of accused, Nakul Kumar one country made pistol was recovered and nothing was recovered from the possession of the petitioner. Accordingly, a seizure list was prepared.



It has been submitted by the learned counsel for the petitioner that he is innocent, has no criminal history and nothing has been recovered from the possession of the petitioner, hence, no case under Arms Act is made out against him. He submits that he had taken a lift from the other accused person and he is not connected with other co-accused, Nakul Kumar.

However, learned A.P.P. for the State submits that the petitioner has been apprehended by the police, hence, opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, above named, to be released on bail on furnishing bail bond of Rs. 10,000/-(Rupees ten thousand) with two sureties of the like amount each in connection with Jamalpur P. S. Case No. 164 of 2016 to the satisfaction of the learned Additional Chief Judicial Magistrate- II, Munger.

(Nilu Agrawal, J)

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