

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.31950 of 2017

Arising Out of PS.Case No. -52 Year- 2017 Thana -BUDDHACOLONY District- PATNA

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Prabhunath Rai Son of Late Kishun Rai, R/o Mohalla- Bibiganj, Bhatta Road, Danapur, P.S.- Danapur Cantt, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhay Kumar

For the Opposite Party/s : Mr. Sri Nirmal Kumar Sinha

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 20-07-2017 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

The petitioner apprehends his arrest in connection with Budha Colony P.S. Case No. 52 of 2017 for the offences registered under Sections 25 (1-b)a, 35 and 30 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner is an Ex-army having valid licence, who is working in the Security Agency. It is further submitted that the arms which has been seized is duly having valid license bearing License No. 498/DMU (kathua) Jammu dated 16.11.2000. As such, no case under the Arms Act, is made out against the petitioner. It is further submitted that after duty hours the petitioner left the office and before leaving the office, he deposited his arms in the office premises itself and hence the petitioner was not present at the place of occurrence when the alleged recovery was made.

Considering the aforesaid facts and circumstances of



the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Patna in connection with Budha Colony P.S. Case No. 52 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure

(Anjana Mishra, J)

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