

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.51514 of 2017**

Arising Out of PS. Case No.-71 Year-2016 Thana- PATEPUR District- Vaishali

=====

Brajesh Kumar Rai S/o Shri Kapil Dev Rai R/o Nainaha P.S. Sadar Hajipur,  
District Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Patanjali Rishi

For the Opposite Party/s : Mr. AJAY KUMAR -2

=====

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

4     07-02-2018             Heard learned counsel for the petitioner and learned APP  
for the State.

The petitioner seeks bail in Patepur P.S. Case No. 71 of  
2016 instituted for the offence under Sections 25(1B)(a), 26 and  
35 of the Arms Act.

Earlier the bail application of the petitioner was rejected  
vide Annexure-P/1 to the present application with an  
observation at this stage.

A report was called for from the Court below regarding the  
stage of the case. It has been reported that out of 12 prosecution  
witnesses, eight have been examined.

It has been submitted that investigation is still pending  
against the other co-accused. The petitioner is in custody since  
18.8.2016. He has remained in custody for one and a half years.



There is no allegation of tampering of witnesses alleged against the petitioner. It is alleged that two live cartridges were recovered from the possession of the petitioner and one pistol was recovered from the vehicle in question in which the petitioner was travelling.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the period of custody already undergone by the petitioner, let the petitioner above named 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 learned Additional Chief Judicial Magistrate-X, Vaishali at Hajipur in connection with Patepur P.S. Case No. 71 of 2016.

**(Sudhir Singh, J)**

Pankaj/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

