

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46955 of 2018

Arising Out of PS. Case No.-205 Year-2018 Thana- BUXAR District- Buxar

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Brijkishore Choubey @ Bantu Choubey, Son of Byasmuni Choubey Resident
of Village - Chhoti Sarimpuri, P.S. - Buxar (Town), District Buxar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha

For the Opposite Party/s : Mr. Sri Nityanand

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 02-08-2018 Heard learned counsels for the petitioner and the State.

The petitioner, already in custody, seeks bail in connection with Buxar(T) P.S.Case No. 205 of 2018 registered under Sections 147,148,149,307,427 and 120B of the Indian penal Code and Sections 25(1-b)a, 25(i)A,26,27 and 35 of the Arms Act.

Allegation in brief is that police reached at the place regarding dispute relating to possession of a land and apprehended few persons at the spot and others escaped away and one regular rifle and 13 cartridges were recovered from the petitioner and another regular rifle and 30 live cartridges from Ravi Kant Upadhyay and from Priyavart Dubey one revolver and 6 live cartridges were recovered.

Submission is that petitioner was in possession of licensee rifle and was carrying licencee rifle of one Vijay



Narayan Tiwari but there is no accusation that he opened fire to anyone and caused firearm injury to any person, moreover one similarly situated co-accused Ravikant Upadhyay, from whose possession also recovery of one regular rifle was made having its licence in name of other person, has been admitted to bail by co-ordinate Bench of this Court vide Cr. Misc. No. 45674 of 2018, so seeks bail on the ground of parity also.

Having considered the aforesaid facts and circumstances, the petitioner, namely , Brijkishore Choubey @ Bantu Choubey, is directed to be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned CJM, Buxar in connection with Buxar(T) P.S. Case No. 205 of 2018.

(Arun Kumar, J)

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