

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56124 of 2018

Arising Out of PS. Case No.-2 Year-2015 Thana- SAHEBGANJ District- Muzaffarpur

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Ramyas Rai son of Late Dhanu Rai, resident of Village- Hussepur Naya Tola,
P.S.- Sahebganj, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 10-12-2018 Heard the learned counsel for the petitioner and

the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Sahebganj P.S. Case No. 02 of
2015 dated 02.01.2015 instituted for the offences under
Sections 25(1-B)A, 26 and 35 of the Arms Act.

Learned counsel for the petitioner has submitted
that according to the F.I.R. a joint house, inhabited and
occupied by five brothers including the petitioner was raided
and from where, firearm weapons have been recovered.

Learned counsel for the petitioner has submitted
that if at all the story of recovery is accepted to be true, it



was from the portion of the house which belonged to another accused but not the petitioner.

However, this cannot be a ground for grant of anticipatory bail, more so when the petitioner also is occupying the same house.

Learned counsel for the petitioner is granted the permission to withdraw this petition in order to approach the court below and seek regular bail. In case the petitioner files such an application, the court below shall consider the merit of the case without being prejudiced with the fact that the present petition has not been entertained.

(Ashutosh Kumar, J)

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