

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23954 of 2018

Arising Out of P.S.Case No. -1062 Year- 2017 Thana -BIHTA District- PATNA

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Amitesh Kumar @ Sri Ram Singh, Son of Late Vyas Singh, Resident of
Village- Telpa, Police Station- Bikram, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Tiwary

For the Opposite Party/s : Mr. Arun Kumar Singh -5

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 17-05-2018 Heard learned counsel for the petitioner and the State.

The petitioner is in custody in connection with Bihta
P.S.Case No.1062 of 2017 pending in the Court of ACJM,
Danapur registered for an offence under Sections 25(1-b) a 26 and
35 of the Arms Act.

As per allegation this petitioner was apprehended by
police party while carrying an illegal fire arm and live cartridges.

It has been submitted that the petitioner has clean
antecedent and has been implicated merely on suspicion. The
petitioner is in custody since 16.12.2017. It has further been
submitted that the seizure list was not prepared in presence of the
petitioner.

The learned APP opposed the submissions.



On perusal of FIR, it appears that this petitioner and co-accused Sanjeev Kumar was apprehended with their motorcycle and in course of search, a loaded country made fire arm and five live cartridges were recovered from the possession of the petitioner. Seizure list was prepared in presence of two witnesses and it bears the signature of the petitioner.

Considering the recovery of loaded fire arm with five live cartridges, I am not inclined to grant him bail. Prayer for bail is rejected.

(Sanjay Kumar, J)

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