

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38987 of 2018

Arising Out of PS.Case No. -200 Year- 2018 Thana -SIWAN MUFFASIL District- SIWAN

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Vikash Kumar S/o Sanjay Kumar @ Sanjog Singh @ Sanjay Singh @
Sanjay, R/o Vill.- Bindusar Hamid, P.S.- Siwan Muffasil, District- Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prashant Kumar

For the Opposite Party/s : Mr. Yogendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 25-07-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Siwan (Muffasil) P.S. Case No.200 of 2018 registered for the
offences punishable under Sections 25(1-b)a, 26 and 35 of the
Arms Act.

As per the F.I.R., the informant apprehended this
petitioner in connection with Siwan (Muffasil) P.S. Case No.195
of 2018 registered for the offences under section 394 of the I.P.C.
and Section 27 of the Arms Act. This petitioner confessed his
complicity in the above crime and disclosed that he had thrown
the firearm in a bush. The police on search recovered the firearm
from the bush in presence of two independent witnesses.
Accordingly, the present case has been registered against this



petitioner.

It has been submitted that the petitioner was apprehended on 16.04.2018 in Siwan (Muffasil) P.S. Case No.195 of 2018 and on the same day his alleged confession was recorded but he was remanded in the present case on 08.05.2018. The seizure list witness is fake person which stands established from the certificate granted by Mukhia concerned. The alleged recovery was not made from conscious possession of the petitioner. He has been allowed bail in Siwan (Muffasil) P.S. Case No.195 of 2018.

The learned A.P.P. for the State opposed the submission.

Considering the facts and circumstances of the case, the prayer of bail is allowed. The petitioner, named above, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of the learned Chief Judicial Magistrate, Siwan in connection with Siwan (Muffasil) P.S. Case No.200 of 2018.

(Sanjay Kumar, J)

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