

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 50795 of 2018

Arising Out of PS. Case No.-857 Year-2016 Thana- ARARIA District- Araria

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DHIRAJ KR RAI @ SINGH @ DHIRAJ KUMAR SINGH S/o Late Bisho
Rai, R/o Vill.- Telgi Kharik Bazar, P.S.- Kharik, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh
For the Opposite Party/s : Mr. Khurshid Anwar

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 19-09-2018

Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks bail in a case under Section 25 (1-B)
A/26 of Arms Act which was registered on recovery of an
unidentified dead body.

It is said that from the pocket of deceased, one
misfired shell has been recovered. Learned counsel for the
petitioner submits that subsequent upon his arrest in K Hat
Police Station Case No 550 of 2017, on the basis of his own
confession, he has been remanded in K Hat Police Station Case
No 389 of 2017, Araria Police Station Case No 856 of 2016 as
well as the instant case. There is no recovery from the petitioner
to show his involvement in the instant case and other than his



own confessional statement, there is no material on record. The allegations are denied by the petitioner. The petitioner, in the instant case, is in custody since 09.04.2018.

The learned APP has opposed the prayer for bail.

Be that as it may, considering the submissions of learned counsel for the petitioner noticed herein above, prayer for bail is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Araria in Araria Police Station Case No 857 of 2016/GR No 4236 of 2016 subject to the following conditions:

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

M.E.H./-

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