

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7813 of 2018

Arising Out of PS.Case No. -53 Year- 2017 Thana -AMNAUR District- SARAN

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Ram Babu Singh S/o Prithwi Nath Singh, R/o Village- Madarpur, P.S.-
Bheldi, District- Saran at Chapra.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Nawal Kishore Singh

For the Opposite Party/s : Mr. Smt. Veena Kumari Jaiswal

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

3 20-06-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offence punishable under Sections 25(1-b)a, 26 and 35 of the
Arms Act.

As per the prosecution case, one loaded pistol and
16 live cartridges are said to have been recovered from the
possession of the petitioner.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from the
conscious physical possession of the petitioner. He has been
falsely implicated in the case at the instance of his enemies by
planting aforesaid recovery from his possession. There is no



independent witness of the seizure list and thus there is violation of Section 100 Cr.P.C. Petitioner has no criminal antecedent. He has been languishing in custody since 01.04.2017.

Earlier bail petition of the petitioner was rejected by this court vide order dated 21.08.2017 with direction to the learned lower court to conclude the trial as expeditiously as possible within nine months and subsequently status report was called for from the court concerned. As per the report of 11th Addl. Sessions Judge, Saran at Chapra dated 06.03.2018, charge in the case has been framed and case is pending for prosecution evidence and no witness has yet been examined by the prosecution.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-5th, Saran at Chapra in connection with Amnaur P.S. Case No. 53 of 2017.

(Prakash Chandra Jaiswal, J)

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