

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.41864 of 2018**

Arising Out of PS.Case No. -6 Year- 2018 Thana -SAHPUR District- PATNA

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Rahul Kumar, son of Mahendra Rai, resident of Village- Chandmari, P.S.-  
Shahpur, District- Patna.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Ms. Usha Kumari Singh, Advocate.

For the Opposite Party/s : Md. Ashlam Ansari, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

3      24-09-2018                      Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Shahpur P.S. Case No. 06  
of 2018 instituted for the offence under Sections 25(1-b) (a) and  
26 of the Arms Act.

It is alleged in the written report that informant on  
getting information that co-accused of Shahpur P.S. Case No. 04  
of 2018 (petitioner) has kept arms in his house which was used in  
the occurrence, he reached near the house of petitioner. It is  
further alleged that on seeing the police party, one person started  
running away from the house. The informant learnt that aforesaid  
person was Rahul Kumar (petitioner). Thereafter, informant  
searched the room of petitioner and recovered one loaded country  
made pistol. Seizure list has been prepared which is part of the



First Information Report. Seizure list does not bear signature either of the petitioner or his any family members.

From the written report it appears that police has recovered the aforesaid articles from the room which allegedly belongs to the petitioner.

Counsel for the petitioner submits that pistol recovered from the house of the petitioner is not independent house of the petitioner. The petitioner is in custody since 28.05.2018.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Danapur, Patna, in connection with Shahpur P.S. Case No. 06 of 2018, subject to the condition that both the bailors will be the close relatives of the petitioner.

**(Sanjay Priya, J)**

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