

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2244 of 2019

Arising Out of PS. Case No.-510 Year-2018 Thana- JAMUI District- Jamui

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Bikky Ram, aged 26 years, Male, son of Late Shambhu Ram, Risedent of
Village-Bhukhar mohalla jamui, P.S.. Jamui, District- Jamui

... Petitioner

Versus

The State of Bihar

... Opposite Party

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Appearance :

For the Petitioner : Mr. Pankaj Kumar Sinha, Adv.

For the Opposite Party : Mr. Bal Mukund Prasad Sinha, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 17-01-2019 Heard the learned counsel for the petitioner and the

learned counsel appearing for the State.

The petitioner is languishing in judicial custody since
28.09.2018 in connection with Jamui (Adarsh Thana) P.S. Case
No. 510 of 2018 for the offences alleged under Sections 25(1-
b)a and 26 of the Arms Act.

The prosecution case, as lodged by the police
personnel, is that on secret information that one person is
brandishing his pistol near the Sweet Shop, the police
apprehended the petitioner and recovered one country made
pistol, along with one loaded cartridge and one live cartridge,
from his pocket. Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal antecedent and
has been falsely implicated in the aforesaid case. He submits



that no overt act has been committed by the petitioner and there is violation of Section 100 of the Criminal Procedure Code as witnesses are police personnel and it is improbable that independent witness would not be available in the market place. He submits that charge sheet has already been submitted and there is no allegation of tampering with the prosecution witness.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Jamui (Adarsh Thana) P.S. Case No. 510 of 2018 to the satisfaction of the learned Chief Judicial Magistrate, Jamui, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

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