

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6345 of 2019

Arising Out of PS. Case No.-73 Year-2018 Thana- DHANGAI District- Bhojpur

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Lav Kush Kumar @ Lav Kush Yadav, aged about 20 years, Gender- Male,
Son of Ram Chandra Yadav, Resident of village-Anhari Bag, Police Station-
Tiyar District-Bhojpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rahul Nath

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
09.10.2018 in a case registered for the offences punishable
under Sections 25(1-B)a/26/35 of the Arms Act.

The prosecution case as per the written report of Anil
Kumar, S.I. of Dhangai P.S. submitted to the Station House
Officer is to the effect that on 08.10.2018 at 10.00 P.M., during
patrolling, on secret information that two persons are standing
near Village – Bajwab with motorcycle and planning to commit
an offence, a raid was laid and from the possession of the
petitioner, one country made pistol loaded with misfired
cartridge and three live cartridges were recovered and from the



possession of co-accused Angad Kumar, one loaded country made pistol and two live cartridges were recovered.

It is submitted by learned counsel for the petitioner that the petitioner has falsely been framed in the case and a statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the recovery has been made from the possession of the petitioner.

Considering the nature of recovery and investigation has already been concluded, coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner 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 Chief Judicial Magistrate, Bhojpur at Ara in connection with Dhangai P.S. Case No. 73 of 2018.

(Dinesh Kumar Singh, J)

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