

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10975 of 2019

Arising Out of PS. Case No.-277 Year-2018 Thana- BARHARA KOTHI District- Purnia

1. Pappu Kumar, Son of Nageshwar Mehra, R/o village- Basudevpur , P.S-
Barhara, Dist.- Purnia (Bihar)
2. Sagar Kumar, Son of Devenarayan Mehra, R/o village- Basudevpur, P.S.-
Barhara, Dist.- Purnia (Bihar)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Samir Kumar, Adv.

For the Opposite Party/s : Mr. Ashok Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 25-02-2019 Heard leaned counsel for the petitioners and learned
APP for the State.

The petitioners are languishing in custody since
27.11.2018 in a case registered for the offences punishable
under Sections 25(1-B)a, 26 and 35 of the Arms Act.

The prosecution case is that from the possession of
petitioner no.1, Pappu Kumar, one loaded pistol with five
cartridges loaded in magazine and from the possession of
petitioner no.2, Sagar Kumar, five cartridges loaded in magazine
and mobile phone were recovered.



It is submitted by learned counsel for the petitioners that the recovery has not been made from the conscious physical possession of the petitioners. It is further submitted that the investigation has already been concluded. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP for the State submits that the recovery has been made from the possession of the petitioners.

Considering the fact that the recovery being made from a fertilizer bag and the investigation has already been concluded, coupled with the statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on bail, on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned **C.J.M., Purnea**, in connection with **Barhara (Raghubanshnagar) P.S. Case No.277 of 2018.**

(Dinesh Kumar Singh, J)

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