

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14317 of 2019

Arising Out of PS. Case No.-191 Year-2018 Thana- LAUKAHI District- Madhubani

Shrawan Kumar Sah @ Sarwan Kumar Sah, Son of Ashok Sah @ Ashok Kumar Sah, R/o village- Nemuwa, P.S- Andharamath, District- Madhubani

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan

For the Opposite Party/s : Mr. Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 08-03-2019 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner is languishing in custody since 29.10.2018 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 a secret information was received that some miscreants have gathered and are preparing to commit a dacoity. Whereupon, a raid was laid and from the possession of the petitioner, one country made gun loaded with a used cartridge and three live cartridges from his pocket were recovered.

It is submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. It is further stated that similarly situated co-accused, Om



Prakash Mandal, from whose possession a double barrel gun and five live cartridges were recovered have been granted bail by a Co-ordinate Bench of this Court vide order dated 22.02.2019 passed in Cr. Misc. No.10811 of 2019. A statement has been made in paragraph no. 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP for the State submits that the recovery has been made from the conscious physical possession of the petitioner.

Considering the fact that investigation has already been concluded, coupled with statement made in paragraph no. 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 **SDJM, Jhanjharpur, Madhubani** in connection with **Laukahi P.S. Case No.191 of 2018.**

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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