

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17424 of 2019

Arising Out of PS. Case No.-1012 Year-2018 Thana- BIHTA District- Patna

Ravi Kumar @ Fudena, son of Malak Natt @ Malak Nat, Resident of Village-
Bela, P.S.- Bihta, District -Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Usha Kumari Singh

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

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-03-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is languishing in custody since 11.09.2018 in connection with Bihta P.S. Case No.1012 of 2018 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 S.I. Prashant Kumar submitted to S.H.O. Bihta P.S. is to the effect that he along with other police officials was on patrolling duty and as soon as he reached at Ahiyapur Mushahari, two persons, on seeing the police, started fleeing in suspicious condition who were chased and apprehended and they disclosed their names as co-accused Biru Nut and Ravi Kumar (the petitioner). From the possession of co-accused, Biru Nutt, one country made pistol was recovered and from the possession of the petitioner, one live cartridge and mobile phone



were recovered.

It is submitted by learned counsel for the petitioner that the nothing has been recovered from the conscious physical possession of the petitioner. The co-accused, Biru Nut has been granted bail by a Co-ordinate Bench of this Court vide order dated 26.11.2018 passed in Cr. Misc. No.73794 of 2018. The petitioner is not having criminal antecedent, statement to that effect is made in paragraph no.3 of the bail application.

Learned A.P.P. for the State has vehemently opposed the prayer for bail and submits that the recovery has been made from the possession of the petitioner.

Considering the nature of recovery and period under custody coupled with the fact that petitioner is not having criminal antecedent, let the above named petitioner be enlarged on bail on furnishing bail bond of Rs.10000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. Ist, Danapur in connection with Bihta P.S. Case No.1012 of 2018.

(Dinesh Kumar Singh, J)

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