

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22905 of 2019

Arising Out of PS. Case No.-73 Year-2019 Thana- SUPAUL District- Supaul

Uma Shankar Kumar @ Uma Shankar Gupta, Male aged about 22 years, Son of Rajnarayan Prasad Gupta Resident of village- Aurohi Rahariya, P.S.- Kishanpur, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Jha

For the Opposite Party/s : Mr. Binod Kumar

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 10-04-2019 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in connection with Supaul P.S. Case No. 73 of 2019 registered under Sections 25(1-b)a, 26, 35 of the Arms Act.

One country made pistol and one live cartridge are said to have been recovered from the possession of Dipak Kumar while one empty cartridge has been recovered from the possession of Statyendra Kumar, who were riding on the motorcycle being driven by the petitioner.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from conscious physical possession of the petitioner. He was no



concern with the seized articles. He was driving the aforesaid motorcycle and on the way, the aforesaid two accused persons took lift from him and he had no knowledge of keeping of arms and ammunition by them. He has also no concern with the aforesaid persons from whose possession arms and ammunition has been recovered. He has been languishing in custody since 06.02.2019.

On the other hand, learned APP for the State opposed the bail prayer of the petitioner.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Supaul in connection with Supaul P.S. Case No. 73 of 2019.

(Prakash Chandra Jaiswal, J)

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