

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24681 of 2019

Arising Out of PS. Case No.-3 Year-2019 Thana- KORANSARAI District- Buxar

Himanshu Upadhyay @ Deepak Upadhyay @ Nagin aged about 24 years
(Male), Son of Hareram Upadhyay, Resident of Mohalla - Shivpuri, P.S.-
Buxar(T), District - Buxar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Rajeev Ranjan, Adv.
For the Opposite Party : Mr. Abhay Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

2 19-04-2019 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 25(1-b)a and 26 of the Arms
Act.

One country made loaded pistol is said to have been
recovered from conscious possession of the petitioner when
petitioner was trying to flee after making fire.

Submission on behalf of the petitioner is that false
implication of the petitioner reflects from the first information
report itself, because the informant claims that petitioner opened
fire and after that he was apprehended by the police but it is
surprising enough that the loaded pistol is said to have been
recovered from conscious possession of the petitioner.

No doubt, petitioner carries criminal antecedent of
near about eight cases but considering the aforesaid facts and
circumstances as well as submissions of the parties, let the



petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Court No. 2, Buxar in connection with Koransarai P. S. Case No. 03 of 2019.

(Hemant Kumar Srivastava, J)

Rajeev Kumar/-

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