

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31170 of 2019

Arising Out of PS. Case No.-446 Year-2018 Thana- BIDUPUR District- Vaishali

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BINDA RAY @ BINDESHWAR RAY Son of Ramkishun Ray Resident of
Ward No. -12, Village - Kailachak, Post - Kharika, P.S.- Bidupur, District-
Vaishali

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vasant Vikas

For the Opposite Party/s : Mr.Yogendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 22-07-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Bidupur P.S.Case No.446 of 2018 dated 22.10.2018 registered for offences punishable under Sections 25(1b)(a), 26/35 of the Arms Act.

Allegation as per FIR is that the police received telephonic information that one Pradeep Kumar has been shot dead by four persons and one person was apprehended and kept confined in a room and on that information, the police reached there and arrested the son of the petitioner, who disclosed the name of another accused persons as the petitioner and from the son of the petitioner there is recovery of arms.

Submission of the learned counsel for the petitioner is



that there is no recovery from the possession of the petitioner rather from the possession of the son of the petitioner and except disclosure made by his son there is nothing against the petitioner. It further appears that the petitioner has been made accused in other cases also that is not with respect to present case.

Heard learned A.P.P. who has opposed the prayer for bail stating that the petition was also involved in the occurrence..

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioner, however, if the petitioner surrenders before the learned court below and pray for regular bail, the same shall be considered on its own merit and if possible to be disposed of on the same day.

With the aforesaid direction, this application is dismissed.

(Vinod Kumar Sinha, J)

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