

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71293 of 2018

Arising Out of PS. Case No.-27 Year-2018 Thana- SARAIYA District- Muzaffarpur

Raja Babu S/o Mohan Roy, Resident of Village- Yadav Nagar, Bhagwanpur,
P.S.- Sadar, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar @ S.K.

For the Opposite Party/s : Mr.Sri Suresh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 28-02-2019 Heard learned counsels for the parties.

The petitioner is languishing in custody since 24.1.2018 in a case registered for the offences punishable under Sections 25(1-B) a, 26 and 35 of the Arms Act.

The prosecution case as per the self-statement of S.I. Md. Alauddin, SHO, Saraiya Police Station recorded on 22.1.2018 at 4.20 P.M., is to the effect that on the same day at 3.50 P.M., the informant received an information to the effect that three motorcycle borne miscreants robbed Five Lacs Rupees from an employee of Hariom Agency, a petroleum dealer on pistol point, though no injury was caused to any one. It is alleged that one person was apprehended by the local people who disclosed his name as Raja Babu (the petitioner) and from the possession of the petitioner, two loaded pistols with two cartridges each and four live cartridges were



recovered. The petitioner also disclosed the name of the persons who escaped from the spot as Kundan Kumar and Manish Kumar. Subsequently, the present case was registered under the Arms Act, whereas the other case was registered under Section 392 of the IPC and Section 27 of the Arms Act and in the other case, the petitioner has been granted bail.

It is submitted by learned counsel for the petitioner that though the petitioner was apprehended on spot but there is no recovery of any cash from the petitioner. It is further submitted that the investigation has already been concluded.

Learned APP submits that there is recovery of arms from the petitioner.

Considering the period under custody and the fact that the investigation has already been concluded, let the petitioner above named 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 the learned ACJM-I, West, Muzaffarpur in connection with Saraiya P.S. Case No.27 of 2018.

(Dinesh Kumar Singh, J)

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