

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48463 of 2019

Arising Out of PS. Case No.-267 Year-2019 Thana- SHASTRINAGAR District- Patna

VISHWAJEET KUWAR @ AYUSH RAJ Son of Ashok Kuar Resident of
Village - Belwa, P.S.- Maharajganj, Dist.- Siwan, at present A.G. Colony,
House no. A/291, P.S.- Shastri Nagar, Dist.- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gauri Shankar Thakur
For the Opposite Party/s : Mr.Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-08-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the
offences under Sections 399, 402 of the Indian Penal Code and
25(1-b)a, 26 and 35 of the Arms Act.

Prosecution case, in short, is that one loaded pistol and
live cartridges along with two vehicles have been recovered.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 20.3.2019 and has got no
criminal antecedent. Charge-sheet has been submitted in this
case. There is no allegation of tampering of witnesses alleged
against the petitioner. No arms is recovered from the possession
of the petitioner. The alleged arms is said to have been



recovered from the possession of co-accused. The petitioner has been made accused due to mistake of fact.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that 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 learned Sub-Judge-IV- cum- A.C.J.M., Patna in connection with Shastri Nagar P.S. Case No. 267/19.

(Sudhir Singh, J)

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