

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56182 of 2019**

Arising Out of PS. Case No.-18 Year-2019 Thana- GADHPURA District- Begusarai

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Dhiraj Kumar @ Sharwan Kumar @ Shravan, aged about 26 years (Male),
Son of Ram Bilash Yadav, resident of Village - Chhitraur, P.S.- Matihani,
District – Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Ajay Kumar Thakur, with Mr. Shashank Shekhar, Advocates
For the State	:	Mr. Jharkhandi Upadhyay, APP

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 18-12-2019

Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in Garhpura P S Case No. 18
of 2019 dated 01.02.2019 instituted under Sections 420/ 414 of the
Indian Penal Code and 25 (1-B)A of Arms Act.

3. The allegation against the petitioner is that from his
house illegal firearms and ammunition as well as a motorcycle
without papers were recovered along with three AADHAR Cards
in his name with different addresses.



4. Learned counsel for the petitioner submitted that nobody has come forward to claim that the motorcycle was stolen and further that the house was not fully constructed and, thus, the recovery from there cannot automatically be said to be from the petitioner. It was further submitted that the petitioner's address changed due to twice the village in which he was residing being submerged and this led to him having three AADHAR cards with different addresses, though the name of his father is the same in all three. It was submitted that petitioner is in custody since 27.05.2019.

5. Learned APP, from the case diary, submitted that the recovery of the articles is from the house of the petitioner for which no paper was shown to the authorities, and most importantly, three AADHAR Cards had different numbers, which clearly proves that the petitioner had tried to create three separate identities. It was further submitted that had it been a simple case of change of address, the AADHAR Card number would not have changed, and only a fresh card bearing the same number would have been issued as one AADHAR number is allotted to one person and is permanent and life long.



6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioner on bail.

7. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J.)

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