

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56888 of 2019

Arising Out of PS. Case No.-233 Year-2018 Thana- HAJIPUR District- Vaishali

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Vivek Rai @ Bhakua Son of Harendra Rai Resident of Village- Hathsarganj,
P.S.- Hajipur Town, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Bhanu Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-09-2019 Heard learned counsel for the petitioner and learned
APP for the State.

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

Allegation is that one country made pistol along with
a cartridge is recovered from co-accused Sakaldip Kumar and
one magazine containing one cartridge is recovered from co-
accused Uma Shankar.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 25.04.2018. Charge sheet has
been submitted in the case. There is no allegation of tampering
of witnesses alleged against the petitioner. The name of the
petitioner has come on confessional statement of co-accused.



One country made pistol along with a cartridge is recovered from co-accused Sakaldip Kumar and one magazine containing one cartridge is recovered from co-accused Uma Shankar. There is no recovery of any arms from the possession of the petitioner. There is no compliance of Section 100 of Cr.P.C. Other co-accused has been granted bail vide Annexure 2 to the present application by a co-ordinate Bench of this Court.

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

Considering the aforesaid facts and circumstances, 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 learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Town P.S. case No.233 of 2018.

(Sudhir Singh, J)

Narendra/-

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