

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69085 of 2019

Arising Out of PS. Case No.-145 Year-2019 Thana- ITARHI District- Buxar

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VIJAY KUMAR Son of Janardan Ram Resident of Village- Sayen, P.S.-
Itarhi, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajit Kumar

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-11-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

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

The prosecution case in brief is that one S.I. Sanjay
Kumar SHO recorded his self statements alleging therein that he
received information that in Kukudha Sarenja road six to seven
culprits assembled with illegal arms and they were making
preparation for committing dacoity when the informant reached
at the place of occurrence the culprits assembled there started to
flee away. The police party arrested seven persons and on search



country made loaded pistol of .315 bore and two live cartridges were recovered from the possession of petitioners Vijay Kumar and another loaded country made pistol of .315 bore and one live cartridge of the same bore was recovered from the possession of the petitioner. Some mobile phones and vehicles were also recovered from the possession of culprits. The seized arms and ammunitions were sealed, seizure list was prepared on the spot.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in the present case. He submits that from the possession of the petitioner, one loaded country made pistol, loaded with .315 bore of live cartridge recovered from the waist and two live cartridges from the trouser and a Samsung mobile was recovered. He submits that petitioner has no criminal antecedent as stated in para-3 of the bail petition and he is languishing in judicial custody since 14.06.2019.

In the facts and circumstances of the case, let the petitioner, above named, be released on bail **after completion of six months in custody** on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial



Magistrate-VI, Buxar in connection with Itarhi Police Station
Case No. 145 of 2019.

(Anjani Kumar Sharan, J)

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