

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65711 of 2019

Arising Out of PS. Case No.-477 Year-2019 Thana- RAMKRISHNANAGAR District- Patna

Dharmendra Kumar (Male aged about 22 years) Son of Arun Kumar Resident
of Village - Dwarika Nagar, P.S. - Ram Krishna Nagar, District- Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Vikramdeo Singh, Mr. Birendra Kumar, Advocates
For the Opposite Party	:	Mr. Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 14-11-2019 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest for the offences alleged under Sections 25(1-b)a, 26 and 35 of the Arms Act registered in connection with Ram Krishna Nagar P.S. Case No. 477 of 2019.

The prosecution case is that one Subodh Kumar, Inspector-cum-SHO of Ram Krishna Nagar Police Station in his self-statement stated that he has recorded statement of victim Rani Kumari under Section 166 of the Cr.P.C. in which she has stated that in the house of Palak Pandey, a person named Dharmendra Kumar, has kept the pistol and on the basis of such information, the informant along with police party reached the said place and in presence of two independent witnesses, a search was made and during search in a bag of Palak Pandey, regular pistol of .32 bore



with magazine was found and when Palak Pandey was asked about the pistol, she stated that this pistol belonged to Dharmendra Kumar who runs a shop in the name of Dharmendra Communication and has his own house at Dwarika Nagar, P.S. Ram Krishna Nagar, Patna. She did not produce any document with respect to the pistol. A seizure list was prepared, a copy of which was given to Palak Pandey.

Learned counsel for the petitioner submits that there is no recovery of any pistol along with magazine from conscious possession of the petitioner whereas the aforesaid recovery has been made from possession of the co-accused Palak Pandey.

In the facts and circumstances of the case, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of Mr. Sukul Ram, learned Additional Chief Judicial Magistrate-XIII, Patna in connection with Ram Krishna Nagar P.S. Case No. 477 of 2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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