

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70876 of 2019

Arising Out of PS. Case No.-656 Year-2019 Thana- PHULWARISHARIF District- Patna

Gitu Kumar, Son of Munna Yadav @ Munna Rai @ Munna, Resident of
Village - Sipara Dih, P.S.- Beur (Shekhpura), Distt - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashutosh Kumar

For the Opposite Party/s : Mr.Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-11-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
05.07.2019 in a case registered for the offences punishable
under Sections 25(1-B)a/26/35 of the Arms Act.

The prosecution case is to the effect that on basis of
secret information some miscreants are planning to commit
some crime, a raid was laid by the informant and other police
personnel when two persons were apprehended from the spot
including the petitioner. On search being made, from the
possession of the petitioner, one loaded country made pistol was
recovered.

It is submitted by learned counsel for the petitioner
that the petitioner has falsely been fabricated in the present case



and he is in custody since 05.07.2019. It is further submitted that the petitioner is not having any criminal antecedent, statement to that effect has been made in paragraph 3 of the petition and investigation has already been concluded.

Mr. J.N. Thakur, learned APP appearing for the State submits that the recovery has been made from the possession of the petitioner.

Considering fact that the investigation has already been concluded, period under custody and statement being made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on bail, on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IX, Patna in connection with Phulwari P.S. Case No. 656 of 2019.

(Dinesh Kumar Singh, J)

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