

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75340 of 2019

Arising Out of PS. Case No.-140 Year-2018 Thana- PHULWARIA District- Begusarai

PRABHAKAR KUMAR RAY @ PRABHAKAR KUMAR @ RUNJHUN
RAI, S/o Late Anil Ray, R/o village- Malti, P.S.- Fulwaria, Distt.-Begusarai

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

2 26-11-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for anticipatory bail arises out of
Fulwaria P.S. Case No. 140 of 2018, disclosing the offences under
Sections 25(1-b)a and 26(ii) of the Arms Act.

As per the case of the prosecution, one injured person was
found lying in a field adjacent to a road, was taken by the Police to
the Hospital. In course of treatment, from his possession, the Police
are said to have recovered two live cartridges.

It is alleged in the First Information Report that it was the
petitioner, from whose possession the cartridges were recovered, in
presence of two witnesses.

Learned counsel for the petitioner referring to the cases
which are pending against the petitioner, as mentioned in paragraph-3



of the application has submitted that most of them have been lodged out of family dispute. The petitioner is in custody since 25.09.2019 in connection with the present case.

Considering the nature of allegation and recovery of cartridges from the petitioner's possession who was found in injured condition, in my view, a case of regular bail is made out. This application is allowed. Let the petitioner, above-named, in the event of his arrest/surrender within six weeks from today in the court below, 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 **Mr. Rajeev Kumar, learned Judicial Magistrate, 1st Class, Begusarai**, in connection with **Fulwaria P.S. Case No. 140 of 2018**, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail Bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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