

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76381 of 2019

Arising Out of PS. Case No.-139 Year-2019 Thana- RAJPUR District- Buxar

Bullet Pathak S/o Nirmal Pathak R/o Vill. - Gajdhara, P.S. Rajpur, Dist.-
Buxar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Kamal Deo Sharma

For the Opposite Party/s : Mr. Ramchandra Sahni

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 12-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Rajpur P.S.
Case No. 139 of 2019 registered for the offence punishable
under Sections 25(1-b)a, 26 and 35 of Arms Act.

One loaded country made pistol and two cartridges
of gun are said to have been recovered from the room of the
father of the petitioner, namely, Nirmal Pathak and petitioner
managed to escape from the house.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from conscious
physical possession of the petitioner. Petitioner had no
knowledge of keeping of aforesaid articles in the room of his



father as the petitioner resides in another room of the said house. There has been violation of Section 100 Cr.P.C. Charge-sheet has been submitted and there is no scope of tampering with the evidence at the hand of the petitioner. Petitioner has no criminal antecedent and has been languishing in custody since 18.08.2019 and father of the petitioner has been enlarged on bail by a co-ordinate Bench of this Court vide order dated 20.11.2019 passed in Cr. Misc. No. 64833 of 2019.

On the other hand, learned APP opposed the bail prayer of the petitioner.

Having regard to the facts and circumstances of the case, 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 C.J.M., Buxar in connection with Rajpur P.S. Case No. 139 of 2019.

(Prakash Chandra Jaiswal, J)

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