

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77258 of 2019

Arising Out of PS. Case No.-201 Year-2019 Thana- MANER District- Patna

Bablu Rai @ Babloo Rai, Son of Bihari Rai Resident of Village - Nilkanth
Tola Gauraiya Asthan, P.S.- Maner, Distt - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Usha Kumari Singh
For the Opposite Party/s : Mr. Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-12-2019 Heard learned counsels for the petitioner and the
State.

The petitioner is languishing in custody since 22.04.2019 in a case registered for the offences punishable under Sections 25(1B)a, 26 and 35 of the Arms Act.

The prosecution case is that from the house of Bihari Rai, two country made rifles, three used cartridges and two live cartridges were recovered and from the place of recovery, co-accused Bihari Rai, Guddu, Rai, Umashankar Rai, Krishna Rai and the petitioner Babloo Rai were apprehended.

It is submitted by learned counsel for the petitioner that recovery has not been made from the conscious physical possession of the petitioner. It is further submitted that similarly situated co-accused Krishna Rai, Guddu Rai and Umashankar



Rai have been granted bail by different Co-ordinate Benches of this Court, vide Cr. Misc. Nos. 69082 of 2019, 71101 of 2019 and 72317 of 2019, respectively. Moreover, investigation has already been concluded. A statement has been made in paragraph no.3 of the petition that the petitioner is made accused in three other cases also.

Learned APP submits that the petitioner has been apprehended from the place of seizure.

Considering the fact that recovery has not been made from the conscious physical possession of the petitioner, similarly situated co-accused persons have been granted bail by different Co-ordinate Benches of this court, investigation has already been concluded and the period under custody, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned J.M., 1st Class, Danapur, Patna in connection with Maner P.S. Case No. 201 of 2019.

(Dinesh Kumar Singh, J)

Amrendra/-

U		T	
---	--	---	--

