

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77977 of 2019

Arising Out of PS. Case No.-531 Year-2019 Thana- KHAJANCHI HAT District- Purnia

1. PRABHAT KUMAR PATEL, Son of Jai Krishna Mandal, Resident of Village- Ram Nagar, Police Station- Janki Nagar, District- Purnea.
2. Rajeev Kumar Mandal @ Nikhil Kumar @ Rajeev Kumar, Son of Shyamanand Mandal, Gopalpur, Police Station- Raniganj, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Chand Prasad

For the Opposite Party/s : Mr.Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-12-2019 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners seek bail in a case registered for the offence punishable under Sections 25(1-B) a, 25 (1) (a) 26/25 of the Arms Act.

The allegation against the petitioners are that when informant of this case ASI, Amit Kumar, on the basis of confessional statement of accused of K.Hat P.S. Case No. 518 of 2019 to verify the truth of his confessional statement. Informant along with other police force raided different places. When he raided at Bank of Baroda, Gulab Bagh. He found 03 Guards there, one guard was this petitioner no. 1, who was possessing a



single barrel gun and when license of the arms was demanded the petitioner stated that a photocopy of the license has been given by Govind Jha and Amrendra Kumar Sharma and the original is with them. One gun bearing No. 171414011 along with 9 live cartridge of 12 bore were recovered from the petitioner no. 1 of which seizure list was prepared and they were taken into custody for possessing illegal arm without license.

Learned counsel for the petitioners submits that the petitioners are quite innocent and have committed no offence. He further submits that Govind Jha and Amrendra Kumar Sharma have appointed these petitioners as a guard and provided them arms and photocopy of license. On their instruction these petitioners were working as a guard. The petitioners were unemployed persons and when they get opportunity, they joined as a guard. They have got no knowledge regarding fake license and illegal arms.

Learned counsel for the petitioners further submits that the petitioners are in custody since 27.07.2019 and have got no criminal antecedent.

Considering the aforesaid facts and circumstances, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two



sureties of the like amount each to the satisfaction of the learned
Chief Judicial Magistrate, Purnea, in connection with K. Hat
(Sahayak) P.S. Case No. 531 of 2019.

(Anjani Kumar Sharan, J)

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