

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9254 of 2020

Arising Out of PS. Case No.-154 Year-2019 Thana- KAMTAUL District- Darbhanga

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BRIJ KISHORE BHANDARI S/o Late Ram Bilash Bhandari Resident of
Village- Brahampur, P.S.- Kamtaul, Distt- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Parth Gaurav

For the Opposite Party/s : Mr.Shailendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 01-06-2020 Heard learned counsel for the parties.

This application for regular bail arises out of Kamtaul
P.S. Case No. 154 of 2019, disclosing offences punishable under
Sections 25(1-b)a, 26, 27 and 35 of the Arms
Act.

It has been alleged in the F.I.R. that the petitioner had
started opening fire with his gun outside the doorway of the
informant's house. The maternal uncle of the informant,
allegedly had received gunshot injuries in his leg. The petitioner
was apprehended allegedly by the villagers with a pistol and one
live cartridge.

Learned counsel appearing on behalf of the petitioner
has drawn my attention to the injury report which indicates the



injury sustained by the informant's maternal uncle to be simple in nature caused by hard and blunt substance. He has accordingly submitted that the prosecution case is entirely false. He has submitted that since the recovery of firearms was allegedly made by the villagers, the offence under the Arms Act to that extent is bailable. The petitioner is in custody since 21.10.2019.

Considering the facts and circumstances and the nature of accusation as noted above, this application is allowed.

Let the petitioner above named 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 the learned Sub Divisional Judicial Magistrate, Darbhanga in connection with Kamtaul P.S. Case No. 154 of 2019.

(Chakradhari Sharan Singh, J)

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