

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33106 of 2020**

Arising Out of PS. Case No.-82 Year-2019 Thana- BHANGWANPUR HAT District- Siwan

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PRADEEP KR. SINGH @ PRADEEP KUMAR SINGH Son of Late
Harendra Singh Resident of Village-Paniyadih, Police Station-Bhagwanpur
Hat, District-Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Kumar Mishra

For the Opposite Party/s : Mr.Ram Sumiran Roy

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

ORAL ORDER

2 14-12-2020 Heard learned counsel for the parties.

This application for regular bail arises out of
Bhagwanpur Hat P.S. Case No. 82 of 2019, disclosing offence
punishable under Sections 25(1-b) a/26 of the Arms Act.

The petitioner is in custody since 08.07.2020 on the
allegation that on the basis of a secret information, from the
petitioner's house, one country-made pistol concealed beneath
the petitioner's bed was recovered by the police during search.

Mr. Umesh Kumar Mishra, learned counsel for the
petitioner has submitted that the petitioner has no criminal
antecedent and presence of a country-made fire-arm is the only
basis for petitioner's implication in the criminal case. He has
submitted that according to the case of the prosecution itself, as



disclosed in the FIR, not even a single cartridge was recovered with the said country-made pistol. He has argued that the petitioner appears to have been falsely implicated in a criminal case at the instance of his co-villagers out of animosity by planting a country-made pistol, which was allegedly recovered by the police in the petitioner's absence.

Considering the above noted submission and the fact that the petitioner is in custody since 08.07.2020, this application is allowed.

Let the petitioner, above-named, 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 learned Judicial Magistrate 1st Class, Siwan, in Bhagwanpur Hat P.S. Case No. 82 of 2019.

It is directed that defects in the application pointed out by the Registry must be removed within two months from today.

(Chakradhari Sharan Singh, J)

Rajesh/-

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