

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26418 of 2020**

Arising Out of PS. Case No.-243 Year-2019 Thana- DHARHARA District- Munger

Gulab Kumar, asged about 22 years, Male, Son of Udaybhanu Singh of
Village - Dharhara, P.S.- Dharhara, District - Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamal Kishore Jha, Advocate
For the State : Mr.Humayou Ahmad Khan, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

5 04-01-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Dharhara
P.S. Case No. 243 of 2019 registered for the offences punishable
under Sections 25(1-A), 25 (1-AA), 25 (1-B) A, 26, (I) (ii) (iii),
35 of the Arms Act.

The prosecution story in brief is that on 26/27.11.2019
at about 3.00 hours, the informant came to know that large
number of illegal arms was being manufactured under Gobar
Gas plant in the house of Udaybhanu Singh at village Dharhara
and on which he proceeded for raiding and at about 3.45 hours
reached at village Dharhara near the house of Uday Bhanu
Singh and surrounded the house and on seeing the police, two
persons tried to flee away but were caught on query the



apprehended persons disclosed their name as Gulab Kumar and Gopal Kumar and on search of the Hauj, three persons were found manufacturing illegal arms and were apprehended and on query, the apprehended persons disclosed their name as Md. Faiyaz, Md. Raju and Md. Husain and one finished pistol, 12 semifinished pistol and other tools which is used in manufacturing the arms were recovered from the Hauj and accordingly seizure list was prepared.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case on account of local politics. He further submits that the First Information Report itself shows that the petitioner was neither found manufacturing the illegal arms nor any thing was recovered from his possession. He further submits that the other co-accused has been granted bail by this Co-ordinate Bench of this Court passed in Cr. Misc. No.22728 of 2020. He further submits that the petitioner has got clean antecedent. The petitioner is in jail custody since 28.11.2019.

Learned A.P.P. for the State has opposed the prayer for bail.

In the facts and circumstances of the case, let the above named petitioner be released on bail on furnishing bail



bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of Sri Vishwajeet Kumar, 1st Class Judicial Magistrate, Munger in connection with Dharhara P.S. Case No. 243 of 2019.

(Anjani Kumar Sharan, J)

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