

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33121 of 2020**

Arising Out of PS. Case No.-117 Year-2020 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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MIRTUNJAY KUMAR @ MRITUNJAY SINGH Son of RAM VILASH
Choudhary Resident of Village - Hemra, Ward No.14, P.S.- Muffasil, Distt.-
Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Randhir Kumar No.1

For the Opposite Party/s : Mr.Ajay Kr. Jha

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

ORAL ORDER

3 11-01-2021 Heard learned counsel for the parties.

This application for regular bail arises out of
Begusarai Muffasil P.S. Case No. 117 of 2020, disclosing
offence punishable under Sections 25(1-b)(a), 26(2), 35 of the
Arms Act.

The petitioner is in custody since 04.03.2020.
According to the prosecution's case, one Bihari Singh was
apprehended in connection with Muffasil P.S. Case No. 113 of
2020, who, while admitting his guilt before the police during the
course of investigation, disclosed that the arms used by him in
connection with the offence and some ammunitions had been
concealed in the petitioner's house. Based on the said



disclosure, the police raided the petitioner's house leading to recovery of three country-made pistols, 12 cartridges and one mobile phone.

Learned counsel appearing on behalf of the petitioner has submitted that the petitioner has no criminal antecedent. He has argued that the petitioner was completely unaware of the fire-arms kept in the petitioner's house by the said Bihari Singh.

Considering the facts and circumstances as noticed above, the petitioner's custody since 04.03.2020 and absence of accusation against him of use of the said fire-arms coupled with the explanation that co-accused Bihari Singh had kept the bag containing the fire-arms without any knowledge to the petitioner in this regard, 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 Chief Judicial Magistrate, Begusarai in Begusarai Muffasil P.S. Case No. 117 of 2020.

(Chakradhari Sharan Singh, J)

Rajesh/-

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