

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34803 of 2020

Arising Out of PS. Case No.-127 Year-2020 Thana- MADANPUR District- Aurangabad

Arbind Bhuiya son of Sarju Bhuiya Resident of village Chhali Dohar (Munshi Bigha) P.S. Madanpur District Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bindeshwar Prasad Singh

For the Opposite Party/s : Mr.Ashok Kumar (APP)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

5 19-02-2021 Heard learned counsel for the petitioner and learned Additional Public Prosecutor appearing on behalf of the State.

This application for grant of regular bail arises out of Madanpur P.S. Case No. 127 of 2020 registered for the offences punishable under Sections 25(1-b)a, 26 and 35 of the Arms Act and Section 17 of the Criminal Law (Amendment) Act.

On receipt of secret information that some miscreants were engaging themselves in supply of provisions and firearms to the members of a Nexalite group, a raid was conducted by the police. Allegedly, the persons named in the F.I.R., on seeing the police had started fleeing away, who were apprehended. Thereafter, their houses were searched. From the petitioner's house, a mobile phone and some pamphlets posters



suggesting his association with the Nexalite group, were recovered. Certain raw materials for preparation of food etc. was also recovered, which according to the police, were stored for supply to the Nexalite group.

Learned counsel appearing on behalf of the petitioner has submitted that mere presence of the raw materials in the petitioner's house cannot constitute an offence under Section 17 of the Criminal Law (Amendment) Act, 2013. He has further submitted that the petitioner has no criminal antecedent.

Considering the nature of accusation against the petitioner and his period of custody since 28.06.2020, 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 C.J.M., Aurangabad in Madanpur P.S. Case No. 127 of 2020.

(Chakradhari Sharan Singh, J)

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