

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39939 of 2020**

Arising Out of PS. Case No.-110 Year-2019 Thana- GANGABRIDGE District- Vaishali

DAHAUR RAI, S/o Chanarik Rai R/o Village- Terasiya, P.S.-Ganga Bridge,
District- Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Shivjee Singh, Advocate

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 20-07-2021 As prayed for, let the learned counsel appearing for the petitioner remove the defect(s), as pointed out by the office vide its notes dated 24.12.2020, within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State through video conferencing.

The petitioner apprehends his arrest in connection with Ganga Bridge P.S. Case no. 110 of 2019, registered under Section 25(1-b)a, 26 of the Arms Act.

The accusation is that on 20.06.2019, at about 09.00 A.M., informant Amrendra Kumar, being Officer-in-Charge of Ganga Bridge, received information from Prahlad Rai, son of Brijnandan Rai, resident of village-Terasiya, P.S. Ganga Bridge, District-Vaishali, that arms have been kept in



the *Fush* hut of Dahaur Rai (Petitioner) in village-Terarsiya. Thereafter, informant along with other Police personnel, after making Sanha, reached there and from the hut situated in front of house of petitioner, one country made gun and a Katta recovered.

Learned counsel for the petitioner submits that, in fact, Prahlad Rai, nephew of petitioner, went at Police Station on 20.06.2019 at about 8.30 A.M. and on whose statement, Gangabridge P.S. Case No. 109 of 2019 was instituted on 20.06.2019 for the offence under Section 307 of the Indian Penal Code and Section 27 of the Arms Act against Arjun Rai, Santosh Rai, Mantosh Rai and Munmun Rai, all sons of Arjun Rai of village Terarsiya, but with ulterior motive, at the instance of accused of the said case, Officer-in-Charge of Gangabridge managed to implicate the petitioner being the uncle of Prahlad Rai. Further submission is that it would appear from the seizure-list that the hut from which the alleged country made gun and Katta are said to be recovered is abandoned place situated at some distance of house of petitioner, which is not residential house of petitioner.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the



event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Ganga Bridge P.S. Case No. 110 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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