

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40010 of 2020

Arising Out of PS. Case No.-36 Year-2020 Thana- PIPRIYA District- Lakhisarai

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RAKESH BHAGAT SON OF RAMCHANDRA BHAGAT RESIDENT OF
VILLAGE- PATHUA, P.S.- PIPARIYA, DISTRICT- LAKHISARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh, Adv.

For the Opposite Party/s : Mr. Satya Nand Shukla, APp

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-02-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner undertakes to remove the defects within three weeks of normal functioning of the court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in a case registered for the offence punishable under Sections 25(1-B)A/26/35 of the Arms Act.

On secret informant, police reached at the place of occurrence. After seeing the police party, two persons started fleeing away but on chase both of them were arrested. It is alleged that from the possession of Hira Bhagat one country



made pistol with live cartridge and from the possession of the petitioner two live cartridges were recovered. Accordingly, a seizure list was prepared.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He submits that only two live cartridges were recovered from the possession of the petitioner. He submits that police while making seizure procedure laid down under Section 100(4) of the Cr.P.C. has not been complied with. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application and he is languishing in judicial custody since 26.05.2020.

In the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Lakhisarai in connection with Pipariya P.S. Case No. 36 of 2020.

(Anjani Kumar Sharan, J)

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