

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35404 of 2021

Arising Out of PS. Case No.-218 Year-2020 Thana- BUXAR District- Buxar

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Dhiraj Kamkar Son Of Late Raj Kumar Kamkar @ Raj Kumar Prasad Pandey
R/O Village- Pandeypatti, P.S.- Buxar(M), Dist.- Buxar

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bikram Deo Singh
Mr. Shankar Kumar

For the Opposite Party/s : Mr. Jintendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-01-2022 Heard the learned counsel for the petitioner and the
learned APP for the State through video conferencing.

The petitioner seeks bail in connection with Buxar
(Town) P. S. Case No.218 of 2020, instituted for the offences
under Sections 25(1-b)A, 26 of the Arms Act.

The learned counsel for the petitioner submits that the
petitioner is in custody since 29.06.2020 and charge-sheet has
been submitted in the case.

Allegation as alleged in the F.I.R. is that informant
alleges that from Abhishek Kumar Pandey @ Bittu Pandey one
loaded pistol with one cartridge was recovered. Further he
disclosed that the pistol was given to him by the petitioner.

The learned counsel for the petitioner submits that
nothing has been recovered from the possession of the petitioner
and his name has transpired in the confessional statement of co-



accused.

The learned A.P.P. for the State opposes the bail application and submits that the petitioner has antecedent of five serious cases as mentioned in Para-3 of the petition and as such, if the petitioner is granted bail, who will abscond.

Considering the fact that the petitioner is in custody since 29.06.2020, charge-sheet has been submitted in the case and nothing was recovered from his possession and his name came based on the confessional statement of co-accused, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Buxar (Town) P. S. Case No.218 of 2020, subject to condition that one of the bailers shall be the brother of the petitioner namely, Santosh Kumar and the petitioner will be released after framing of charge.

The application stands allowed.

(Satyavrat Verma, J)

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