

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41360 of 2022

Arising Out of PS. Case No.-114 Year-2022 Thana- BARAHAT District- Banka

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Ganori Roy Son of Late Hari Rai Resident of Village - Hijrar (Fulhara), P.s.-
Barahat, Distt.- Banka.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad, Advocate.

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP.

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 15-11-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks regular bail in connection with

Barahat P.S Case No. 114 of 2022 registered for the offences

punishable under Sections 25(1-b)a, 26 and 35 of the Arms Act.

As per the prosecution, the police party acting upon a

secret information apprehended this petitioner along with

Sanjay Yadav at the alleged place, upon making search one

country-made Pistol and four live Cartridges were recovered

from the possession of co-accused Sanjay Yadav and for the

alleged recovery the apprehended persons could not produce

any valid documents.

The main submissions advanced by learned counsel Mr.



Brij Nandad Prasad appearing for the petitioner are that the petitioner has clean antecedent and has been languishing in jail since 14.05.2022 and the alleged fire arms were recovered from the conscious possession of co-accused Sanjay Yadav and not from the possession of the petitioner who was alleged to have been accompanying the said co-accused Sanjay Yadav when he was apprehended.

Learned APP MR. Ajay Kumar Jha appearing for the State has opposed the prayer for bail.

In view of the above submissions and considering the petitioner's clean antecedent and also the fact that as per the seizure list the alleged fire arms were recovered from the possession of the co-accused Sanjay Yadav and not from the conscious possession of the petitioner, in the opinion of this court the petitioner deserves to a lenient approach of this Court, let the petitioner 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 Chief Judicial Magistrate, Banka in connection with Barahat P.S Case No. 114 of 2022.

(Shailendra Singh, J.)

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