

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29176 of 2023

Arising Out of PS. Case No.-2 Year-2023 Thana- BARH District- Patna

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Dhiraj Kumar @ Dhiraj Das Son Of Adalat Das, Resident Of Village
Akbarpur, Police Station -BARH, Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 07-06-2023 Let the defect, if any, be removed within two weeks
from today.

2. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

3. The petitioner seeks regular bail in connection with
Barh P.S. Case No. 02 of 2023 dated 01.01.2023 lodged under
Sections 25(1-B)a and 26 of the Arms Act.

4. As per the prosecution case, one *desi loaded katta*
and 8 live cartridges were alleged to be recovered from
possession of the petitioner along with mobile.

5. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further
submits that petitioner is victim of the case as there is a case and
counter case between the informant and petitioner's side and old

pending enmity are there. Counsel further submits that petitioner is in custody since 02.01.2023 and there is one criminal case pending against him in which his requisition has not been taken by the police.

6. Learned counsel for the State opposes the prayer for bail and submits that recovery of arms and 8 live cartridges have been made from possession of the petitioner.

7. In this circumstances, I am not inclined to grant bail to the petitioner. Therefore, bail petition of the petitioner is hereby rejected.

8. But liberty is hereby granted to the petitioner that he may renew his prayer for bail after framing of charge and trial Court is directed to release him on bail imposing its own conditions so that he may not evade his appearance during trial.

(Dr. Anshuman, J.)

ravishankar/-

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