

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.35824 of 2023

Arising Out of PS. Case No.-492 Year-2022 Thana- OBRA District- Aurangabad

SAILENDRA KUMAR @ GURUJI Son of Binod Ram Resident of village -
Pipara, P.S. - Jamhara, Distt. - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 28-06-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of regular bail, arises out of
Obara Police Station Case No. 492 of 2022, dated 02.12.2022,
disclosing offences under Sections 25(1-b)/A/26/35 of the Arms
Act.

The prosecution case, on the basis of First
Information Report, is that the police, during the course of
investigation of Barun Police Station Case No. 518 of 2022, in
which the petitioner was non-FIR accused, raided the house of
non-FIR co-accused, Ranjan Kumar, and recovered one pistol
along with one cartridge from the bed of co-accused Ranjan



Kumar. The arrested co-accused Ranjan Kumar disclosed that the fire arm and the cartridge was given to him by the petitioner and Prabhu Sharma.

Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and no recovery of fire arm has been made from his possession. He further submits that his name has transpired on the basis of statement given by the arrested co-accused Ranjan Kumar from whose possession the fire arm has been recovered. He next submits that co-accused persons, namely, Prabhu Sharma and Bittu, have been granted bail by a Co-ordinate Bench of this Court in Criminal Misc. No. 19452 of 2023 and 16741 of 2023 respectively and the petitioner is in custody since 20.01.2023.

Regards being had to the submissions made by the parties and taking into consideration the material on record, I am inclined to grant regular bail to the petitioner after completion of six months in custody.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail, after completion of six months in custody, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount, each to the satisfaction of learned Sub-Divisional



Judicial Magistrate, Daud Nagar, Aurangabad in connection
with Obara Police Station Case No. 492 of 2022.

(Anil Kumar Sinha, J)

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