

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36509 of 2023

Arising Out of PS. Case No.-32 Year-2023 Thana- BARAHAT District- Banka

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Suman Kumar Son Of Late Rambaran Choudhary @ Rambadan Choudhary
@ Jhunjhun Choudhary, Resident Of Village- Mirjapur, P.S. - Barahat, Distt. -
Banka (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 24-06-2023 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
Barahat P.S. Case No. 32 of 2023 dated 12.02.2023 lodged
under Sections 25(1-b)A/26 of the Arms Act.

4. As per the prosecution, two pistols and 35 live
cartridges have been recovered from possession of the
petitioner.

5. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further
submits that the recovery was made in complete violation of

section 100 of Cr.P.C. Counsel further submits that petitioner is in custody since 12.02.2023 and there are two criminal cases pending against the petitioner in which he is on bail, which is not of Arms Act rather it is Excise Act.

6. Learned counsel for the State opposes the prayer for bail and submits that two arms and 35 live cartridges have been recovered from possession of the petitioner as well as he has two criminal antecedent and this aspect is taken care at the time of considering the bail application.

7. In the present facts and circumstances of this case and the submissions made above, this Court is not inclined to grant bail to the petitioner. Accordingly, the bail petition of the petitioner is hereby rejected.

8. Liberty is hereby granted to the petitioner that he may renew his prayer for bail after two months from framing of charge.

(Dr. Anshuman, J.)

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