

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66991 of 2023

Arising Out of PS. Case No.-324 Year-2022 Thana- BARHARA District- Bhojpur

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Rakesh Kumar Singh Son Of Arun Kumar Singh Village Babura Ps Barahara District Bhojpur, Bihar. Presently Residing At Railway Colony, Ps- Dimapur, West, Dimapur, Nagaland

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amarjeet Choudhary

For the Opposite Party/s : Mr.Uday Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-10-2023 Heard learned counsel for the petitioner and learned counsel for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 420, 467, 468, 471, 472, 188 of the Indian Penal Code and sections 25(1-B)a, 26 of the Arms Act.

3. As per the prosecution case, this petitioner is alleged to have got issued arms license from Nagaland on the basis of forged documents.

4. It is submitted by the counsel for petitioner that the arm license was issued to the petitioner on the basis of genuine documents after proper verification and after seeking permission from the Deputy Commissioner of Police, Reserve Force (Arms



Act Department) Lalbazar, Kolkata, bearing permit No. 236/18 dated 08.03.2018 the petitioner purchased one .32 bore pistol from Royal Bengal Arms, Kolkata on 08.03.2018 vide Annexure-P3 annexed to this bail application and the aforesaid purchased pistol was deposited with Royal Bengal Arms with Spare magazine and 10 pieces of ammunitions vide Annexure-P4 annexed with the bail application. It is further submitted that petitioner never carried his pistol to his native village, therefore there is no occasion to produce the same to the local police, for its inspection and entry into the Arms Register. Petitioner never misused the Arms or the license issued to the petitioner in any manner and thus, it cannot be said that petitioner either cheated or disobeyed the order of any public servant or has contravened any provision of Arms Act. Petitioner claims clean antecedent.

5. Considering the facts aforesaid, the petitioner above-named, in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be enlarged 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 learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Barhara P.S. Case No. 324 of 2022,



subject to the conditions as laid down under Section 438(2) of
the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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