

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68115 of 2023

Arising Out of PS. Case No.-161 Year-2023 Thana- PANDARAK District- Patna

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Dhananjay Kumar @ Gehuman S/O Ajay Singh@ Ajay Kumar R/O Vill-
Biharibigha, Ps-Pandarakh, Dist-Patna, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kundan Kumar Ojha, Adv.

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

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 22-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Pandarakh P.S. Case No. 161 of 2023 instituted for the offences
under Sections 25(1-B) (a) and 26 of the Arms Act.

3. The prosecution case, in short, is that on receipt of
secret information, the police party reached at the place of
occurrence where they saw a person standing by the road side.
On seeing the police party, he tried to flee away from there but,
he was arrested by the police and disclosed his name as
Dhananjay Kumar/the petitioner. On search, one country made
pistol (*Desi Katta*) from the left side of his waist and two live
cartridges were recovered.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. The petitioner has four criminal antecedents out of which in three cases, he is on bail. He further submits that the search and seizure in this case has been conducted in most illegal manner and in contravention of Section 37 of the Arms Act as well as the principles of search and seizure provided under the Code of Criminal Procedure. The petitioner is languishing in judicial custody since 17.07.2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the entire facts and circumstances of the case as also taking into account the period of custody, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Pandarakh P.S. Case No. 161 of 2023.

(Rudra Prakash Mishra, J)

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