

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36017 of 2024

Arising Out of PS. Case No.-223 Year-2023 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

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1. Rustam Kumar son of Devendra Singh @ Devendra Kumar Resident of Village- Mohabattpur, P.S.- Sheikhopur Sarai, Dist.- Sheikhpura
 2. Ravi Kumar @ Ravi Bhushan Kumar Son of Jitendra Singh @ Jitan Singh Resident of Village- Mohabattpur, P.S.- Sheikhopur Sarai, Dist.- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar
For the Opposite Party/s : Mr.Bharat Lal

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

5 26-09-2024 The learned counsel for the petitioners is permitted to make necessary corrections at page 1 of the bail petition, in course of the day.

2. Heard the learned counsel for the petitioners and learned APP for the State.

3. This is an application for regular bail on behalf of the petitioners for the offences alleged under Sections 25(1-b)a, 26 and 35 of the Arms Act, registered in connection with Sheikhopur Sarai P.S.Case No. 223 of 2023.

4. As per the FIR, the petitioners were wanted in Tankuppa P.S.Case No. 232 of 2023 for abduction of Saddam



Khan. The police raided the house of petitioner no.1, Rustam Kumar, from whose possession the mobile set of Saddam Khan was recovered. On disclosures of petitioner no.1, a pistol was recovered from petitioner no.2, Ravi Kumar.

5. The learned counsel for the petitioners has submitted that so far as petitioner no.1 is concerned, though there is allegation of kidnapping of one Saddam Khan, but a separate case (Tankuppa P.S.Case No.232 of 2023) has been lodged and this case is only under the provisions of the Arms Act. The provisions of the Arms Act are not attracted against petitioner no.1, as no any kind of arms and ammunition were recovered from his possession. So far as petitioner no.2, Ravi Kumar is concerned, a pistol was recovered from his possession.

6. Considering the above facts and circumstances, **let the petitioner no.1 Rustm Kumar, be released on bail** on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Sheikhpura in connection with Sheikhopur Sarai P.S.Case No. 223 of 2023, subject to the condition that petitioner no.1 shall cooperate in the disposal of trial and make himself available as and when required by the court.

7. Taking into account the facts and circumstances of



the case, and in view of recovery of a pistol from the petitioner no.2, Ravi Kumar, his prayer for bail is rejected.

8. However, petitioner no.2 may renew his prayer for bail after six months from today.

(Nawneet Kumar Pandey, J)

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