

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10374 of 2020

Arising Out of PS. Case No.-492 Year-2019 Thana- DHANARUA District- Patna

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BUDHU PRASAD @ BUDHAN SINGH S/o Late Baldeo Prasad Resident of
Village-Dariyapur, P.S.-Dhanaura, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha

For the Opposite Party/s : Mr.Amitesh Kumar

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 29-03-2020

Heard learned counsel for the parties.

This application for regular bail arises out of
Dhanarua P.S. Case No. 492 to 2019, disclosing offences
punishable under Sections 25(1-b)a, 26/35 of the Arms Act.

The petitioner was implicated earlier in Dhanarua
Case no. 490 of 2019. It is alleged in the F.I.R. that the police
received an information that the persons named in the said case
were moving in the village with arms. The police are said to
have reached the village and arrested the petitioner and his son.
A country made pistol and three live cartridges were recovered
from their possession.

Learned counsel appearing on behalf of the petitioner
has submitted, referring to the seizure list, that the same could



not have been said to have been prepared in connection with Dhanarua P.S. Case no. 492 of 2019, as the said case, according to the F.I.R. itself, was registered at 3.00 p.m., whereas seizure list, it is being claimed, was prepared at 2.05 p.m. He has submitted that the age of the petitioner is seventy years and he has been implicated falsely at the instance of the informant of Dhanarua P.S. Case no. 490 of 2019, which has been registered by the co-villagers out of local enmity. The petitioner is in custody since 23.11.2019.

Considering the facts and circumstances, this application is allowed.

Let the petitioner above named be released on bail furnishing bail bond of Rs.10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. Masaurhi, in connection with Dhanarua, P.S. Case No. 492 of 2019.

(Chakradhari Sharan Singh, J)

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