

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35498 of 2017

Arising Out of PS. Case No.-56 Year-2017 Thana- KARJA District- Muzaffarpur

Saroj Kumar Chaudhary, son of Sri Ram Vinod Chaudhary, Resident of
Village – Kharauna Jairam, P.S. Kudhani (Turki O.P.), District Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Moleshwar, Advocate

For the Opposite Party/s : Mrs. Indu Kumari Srivastava, A.P.P.

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 15-09-2017

Heard learned counsel for the petitioner, learned
counsel for the informant and the learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
16.04.2017 in connection with Karja P.S. Case No. 56 of 2017
registered for the offence punishable under Sections 25(1-B) a,
26 and 35 of the Arms Act.

The prosecution case, as lodged by the police
personnel, is that on information that altercation is going on
between the petitioner and one Mukesh Kumar Choudhary and
the petitioner has kept some arms, police raided the house of the
petitioner and apprehended him. From the possession of the
petitioner, one Italian made pistol and four live cartridges were
recovered. Accordingly, a seizure-list was prepared.



It has been submitted by the learned counsel for the petitioner that he is innocent and because of land dispute, he has been made accused in the present case. He submits that no overt act has been alleged to have been committed by the petitioner and that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner.

However, learned counsel for the informant and the learned A.P.P. for the State oppose the prayer for bail stating therein that the petitioner does not have a clean antecedent and as many as three cases are pending against him, some of similar nature.

Considering the facts and circumstances and the materials on record, let the petitioner, named above, be enlarged on bail after completion of six months in custody on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, West Muzaffarpur in connection with Karja P.S. Case No. 56 of 2017, subject to the condition that both the bailors would be close relative of the petitioner and that petitioner will appear before the learned Court below on each and every date and failure to appear on two



consecutive dates without assigning any reason will entail
cancellation of his bail bonds.

(Nilu Agrawal, J.)

Arjun/-

U		T	
---	--	---	--

