

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53990 of 2017

Arising Out of PS.Case No. -75 Year- 2017 Thana -BOCHHA District- MUZAFFARPUR

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1. Chandan Choudhary, Son of Late Jagehswar Choudhary, Resident of Village- Maidapur, P.S.- Bochahan, District- Muzaffarpur. At Present residing at Mohalla: Purnani Mandir, Rajapul, P.S.- Buddha Colony, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aaruni Singh

For the Opposite Party/s : Mr. Sri Dashrath Mehta

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 22-11-2017 Heard the parties.

The petitioner seeks regular bail in connection with Bochahan P.S.Case no.75/17 registered for offences punishable under Section 414 of the Indian Penal Code and Sections 25(1-B)/A/26/35 of the Arms Act.

Allegation against the petitioner is of recovery of one country-made pistol from his possession.

Submission of the learned counsel for the petitioner is that he has been falsely implicated in this case. He is in custody since 13.5.2017 and another co-accused, whose case is similar to the petitioner has already been granted bail by this Court vide order dated 7.9.2017 passed in Cr. Misc. No.41487 of 2017.



Heard learned A.P.P. also, who has opposed the prayer for bail on the ground that he is carrying criminal antecedent and he is accused in one more case.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Judge XI-cum-ACJM, Muzaffarpur in connection with Bochahan P.S.Case No.75 of 2017 dated 13.5.2017.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and in the event of failure to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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