

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59472 of 2018

Arising Out of PS.Case No. -42 Year- 2018 Thana -SIWAN RAIL P.S. District- SARAN

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1. Nand Lal Chauhan @ Nandan, son of Prabhunath Chauhan, resident of village Khurmabad, P.S.- Mufasil (Siwan), District- Siwan.
2. Sonu Chauhan @ Kartik Chauhan, Son of Chathu Lal Chauhan, resident of Village Dakshin Tola, P.S. Siwan, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Singh

For the Opposite Party/s : Mr. Md. Fahimuddin

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 11-10-2018 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners seek bail in Siwan (Thawey) Rail P.S. Case No. 42/2018, instituted for the offences under Sections 25(1-b)A, 26 and 35 of Arms Act.

It is alleged in the written report that when the informant heard the sound of firing from the side of Rail Engine, he along with other police personnel went there and saw three young boys having armed with pistol. They had caused injury to two passengers. Seeing the police party, miscreants started running away. During course of chase, miscreants fell down and sustained injuries, who were arrested with the help of local people.



They disclosed their name as Nandlal Chauhan (Petitioner no. 1), Sonu Chauhan @ Kartik Chauhan (Petitioner no. 2) and Rajan Sah. The firearm has been recovered from possession of Nandlal Chauhan (Petitioner no. 1).

The firearm recovered from possession of petitioner no. 1 was found effective as mentioned in para 116 of case diary, which is mentioned in impugned order. The petitioners have criminal antecedent. As per F.I.R., these petitioners have caused injuries to two passengers and were making firing on seeing the informant to run away. The informant also sustained injury in chasing the petitioners.

Therefore, this Court is not inclined to grant bail to petitioners at this stage. The prayer for bail of petitioners is therefore rejected.

(Sanjay Priya, J.)

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