

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22531 of 2018

Arising Out of PS.Case No. -61 Year- 2017 Thana -CHUTIA SAHAYAK District- SASARAM
(ROHTAS)

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Premchand Chaudhary S/o Late Dehal Chaudhary, R/o Vill.- Tilokhar, P.S.-
Chutia, District- Rohtas.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh

For the Opposite Party/s : Mr. Sri Kumar Ranjit Ranjan

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 19-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
30.10.2017 in connection with Chutia P.S. Case No. 61 of 2017
for offences 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 during investigation of a kidnapping case and on
secret tip off, hut of the petitioner was searched and petitioner
along with five other co-accused persons were apprehended. On
search from the possession of the petitioner one country made
pistol, Rs. 25,000/- and a mobile was recovered. Accordingly, a



seizure list was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case. He submits that no incriminating articles were recovered and even the country made pistol was not in active condition. He submits that the money was in lieu of payment of sale of his land and no overt act has been alleged to have been committed.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner is involved in three more cases and does not have a clean antecedent.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged 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 Judicial Magistrate-1st Class, Dehri-on-Sone, District-Rohtas in connection with Chutia P.S. Case No. 61 of 2017, subject to the conditions that:

- (1) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.
- (2) If the petitioner indulges in an offence of similar nature in



future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

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