

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13467 of 2019

Arising Out of PS. Case No.-212 Year-2018 Thana- KOCHAS District- Rohtas

CHANDAN KUMAR GUPTA @ CHANDAN KUMAR Son of Nirmal Sah
Resident of Village - Kochas, Ward No.15, P.S.- Kochas, District -Rohtas

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Tiwary
For the Opposite Party/s : Mr.Ram Naresh Ray

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 08-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
07.12.2018 in connection with Kochas P.S. Case No. 212 of
2018 for offences punishable under Sections 25(1-b) a, 26 of the
Arms Act.

The prosecution case, as lodged by the police
personnel, is that on secret information that a boy armed with
weapons is roaming on the main road, the police apprehended
the petitioner. On search, from his possession one country-made
pistol and one live cartridge was recovered. Accordingly, a
seizure-list was prepared.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal history, is a



student and has been falsely implicated in the aforesaid case. He submits that no overt act has been alleged to have been committed by the petitioner and he is languishing in judicial custody for more than three months. He further submits that charge-sheet has already been submitted there being no allegation of tampering with the prosecution witnesses.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record as well as the nature of allegations, 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 Chief Judicial Magistrate, Rohtas at Sasaram, in connection with Kochas P.S. Case No. 212 of 2018, subject to the condition that 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.

(Nilu Agrawal, J)

Rajesh/-

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