

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21000 of 2019

Arising Out of P.S. Case No.-137 Year-2018 Thana- SIMRA District- West Champaran

CHANDAN KUMAR, aged about 24 years, Male, S/o Shree Mahto, Resident of Village-Dhanger Toli, I.T.I. Colony, Bettiah, P.S-Bettiah, Mufassil, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Surendra Prasad Singh, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 04-04-2019 Heard the learned counsel for the petitioner and
learned counsel appearing on behalf of the State.

Petitioner is languishing in judicial custody since 29.10.2018 in connection with Semara P.S.Case No.137 of 2018 for the offence alleged under Section 414 of the of the Indian Penal Code and Sections 25(1-b) a, 26 and 35 of the Arms Act.

The prosecution case as lodged by the police personnel is that while investigating Semara P.S.Case No.80 of 2018, the police received intercepted one motorcycle on which three persons including the petitioner were sitting who were apprehended. On search from the possession of the petitioner one country made pistol and two 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 has been falsely implicated in the aforesaid case stating therein that although the date of occurrence is 28.10.2018, seizure list is dated three days before, i.e., 25.10.2018 which falsifies the prosecution story.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner bear a criminal antecedent and one more case is pending against him.

Considering the nature of allegations, materials on record and the fact that seizure list is of three days before the date of occurrence, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Semara P.S.Case No.137 of 2018 to the satisfaction of Sri Firoj Akram, Judicial Magistrate-Ist Class, Bagaha, West Champaran.

(Nilu Agrawal, J)

B.Kr./-

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

