

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72255 of 2019

Arising Out of PS. Case No.-308 Year-2019 Thana- DANAPUR District- Patna

MANISH KUMAR @ LUTAN @ MANISH KUMAR CHAUDHARY Son
of Late Lakhi Chaudhary Resident of Mohalla - Jhakhari Mahadev, P.S.-
Danapur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha
For the Opposite Party/s : Mr.Bharat Bhushan

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 04-12-2019 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner seeks bail in a case registered under
Sections 25(1-b)a, 26 of the Arms Act.

On the information given by the brother of the
petitioner namely Guddu Kumar, one loaded country made
pistol is said to have been recovered from the possession of the
petitioner by the informant arriving at his house.

It is submitted by learned counsel for the
petitioner that no incriminating article has been recovered from
the conscious physical possession of the petitioner. Petitioner
has no concern with the seized article. As a matter of fact,
petitioner had filed Informatory Petition No. 57 of 2018 against



his brother Guddu Chaudhary and his wife Soni Devi preceding to the case under hand and Soni Devi has also lodged Danapur P.S. Case No. 719 of 2017 against the petitioner preceding to the case under hand and due to aforesaid animosity brother of the petitioner namely Guddu Kumar has got the petitioner falsely implicated in the case by keeping arm and ammunition in his house. As per the prosecution case, arm and ammunition was recovered from the conscious physical possession of the petitioner but seizure list indicates that aforesaid arm and ammunition was not recovered from the possession of the petitioner rather from the house of Guddu Kumar. Petitioner has been languishing in custody since 22.04.2019.

Having regard to the facts and circumstances of the case, the above named petitioner is directed to 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 the learned Additional Chief Judicial Magistrate-I, Danapur in connection with Danapur P.S. Case No. 308 of 2019.

(Prakash Chandra Jaiswal, J)

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