

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11465 of 2020

Arising Out of PS. Case No.-155 Year-2019 Thana- SANJHOLI District- Rohtas

SANJAY CHAUDHARY (Male), aged about 35 years, Son of Rajeshwar Chaudhary @ Rajeshwar Singh, Resident of Village-Charpurwa, P.S.- Sanjhauli, Distt - Rohtas.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Sada Nand Roy, Advocate.
For the Opposite Party : Mr.Manoj Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-02-2020 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks bail in a case for the offence registered under Sections 25(1-aa), 25(1-b)a, 26 and 35 of the Arms Act.

The prosecution story, in brief, is that the informant alongwith police forces were in search or raid where S.H.O., *Rajpur*, gave direction to proceed *Charpurwa* and to raid the house of the petitioner. During raid, petitioner attempted to flee away but he was caught there by the police force and arrested. Villagers also assembled there and alleged that during search, one gun of 12 bore and one another gun of 12 bore D.B.B.L. were recovered. He further alleged that 25 pieces of alive cartridges and one 9 mm cartridges were also found. He further alleged that 26 pieces of empty cartridges, two pieces pillet



of .315 bore and cartridge of Insas were also recovered from his house.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 22.12.2019. The petitioner has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. Charge sheet has been submitted in the present case. Two (02) Guns, 68 live cartridges, 30 misfired cartridges and 3 pillet are said to have been recovered from joint house of the petitioner. There is no compliance of Section 100 of Cr. P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Rohtas at Sasaram, in connection with Sanjhauli P.S. Case No. 155 of 2019.

(Sudhir Singh, J)

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