

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19622 of 2020**

Arising Out of PS. Case No.-32 Year-2020 Thana- LAHERIYASARAI District- Darbhanga

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AMIT CHOUDHARY Son of Ramdeo Chaudhari Resident of Village-
Udhopatti Post Godhiyari, P.S.- Vishanpur, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs.Usha Kumari Singh, Advocate.

For the Opposite Party/s : Mrs. Sharda Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 31-08-2020 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

Since the physical court proceeding is non-functional, due to present pandemic, COVID-19, the matter is listed with defects.

Learned counsel for the petitioner undertakes to remove the defects within two weeks of resumption of physical court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in a case registered for the offence punishable under Section 25 (1-b)a/26/35 of the Arms Act.

The prosecution case, in brief, is that while the informant was on vehicle checking found that two persons were coming on a bullet motorcycle from Samastipur main road and



when they were caught hold one loaded country made pistol was recovered from the possession of Shyambabu Rai Yadav and one live cartridge of 315 bore was recovered from the possession of the petitioner. Some cash amount was also recovered.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case. No incriminating article has been recovered from his conscious physical possession of the petitioner rather signature of the petitioner was taken on a plain paper. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner has no criminal antecedent and has been languishing in custody since 14.01.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Darbhanga in connection with Laheriasarai P.S. Case No.32 of 2020.

(Anjani Kumar Sharan, J)

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