

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 20168 of 2020**

Arising Out of PS. Case No.-58 Year-2020 Thana- CHAPRA TOWN District- Saran

CHANCHAL KUMAR @ DEEPAK Son of Ashok Kumar Singh Resident of
Village - Mauna Mishra Toli, Police Station - Chapra Town, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Ankur Prakash Sinha, Advocate

For the Opposite Party/s : Ms Sangita Sharma, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 **19-06-2020** The matter has been listed today for consideration
through Video Conferencing.

Learned counsels are appearing and making submissions
from their residence. The Court Master and Secretary are also
part of this virtual Court proceedings with the aid of audio
visual technology.

Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in Chapra Town Police Station
(for brevity, *PS*) Case No 58 of 2020 instituted for the offence
punishable under Section (s) 35, 25 (1-b)A and 26 of Arms Act.

The allegation, as per the Fardbayan, is that from the
rented room of the petitioner in the house of one Hareshwar Rai,



the incriminating article has been recovered by the police.

From perusal of the seizure list, it is submitted by the petitioner's counsel that there is no compliance with the requirements of Section 100 of Criminal Procedure Code. The petitioner is stated to be a handicapped person having 70% disability and he is being repeatedly implicated in the cases due to village politics. Charge sheet is also stated to have been submitted. Petitioner is in custody since 01.02.2020. One country made pistol and three mobile phones are said to be the articles recovered from the same room which allegation is false.

Learned APP for the State has opposed the prayer for bail.

Considering the aforesaid, let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Saran at Chapra in connection with Chapra Town PS Case No 58 of 2020 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.



(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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