

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21249 of 2020

Arising Out of PS. Case No.-42 Year-2020 Thana- BHABHUA District- Kaimur (Bhabua)

GANESH CHAUBEY Son of Late Kuber Chaubey Resident of Village -
Saitha, P.S.- Sonhan, District- Kaimur(Bhabua).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Mishra

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 02-07-2020 Heard both sides through Video Conferencing.

The petitioner seeks bail in Sonhan(Bhabua) P.S. Case No.42 of 2020 registered under Sections 387, 504, 506 and 34 of the Indian Penal Code, under Sections 25(1-b)a, 26 and 35 of the Arms Act and under Sections 37(i)(ii) of the Bihar Prohibition and Excise Act.

The informant got information that some persons, who were in inebriated condition, were demanding extortion and on such, the police went to the place of occurrence, apprehended two persons namely, Ganesh Chaubey(the petitioner) and Bhuteli Yadav who were in inebriated condition. One firearm was recovered from the mustard field which is said to have belonged to the petitioner.

The learned counsel for the petitioner submits that no



firearm was recovered from the possession of the petitioner. The same was recovered from the open field. Bhuteli Yadav has already been granted bail by an order passed in Cr. Misc. No.19656 of 2020 on 18.06.2020 by a co-ordinate Bench of this Court. The petitioner is in jail since 17.01.2020.

Considering the facts aforesaid and nature of allegation made against the petitioner and the fact that the petitioner is in jail for about six months and another accused whose case stands on the same footing has already been enlarged on bail, 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 to the satisfaction of the learned Special Judge, Excise, Kaimur at Bhabua in connection with Sonhan(Bhabua) P.S. Case No.42 of 2020.

(Prabhat Kumar Jha, J)

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