

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26295 of 2020**

Arising Out of PS. Case No.-198 Year-2019 Thana- BARURAJ District- Muzaffarpur

CHUTTU SINGH @ CHUTTU @ NITESH SINGH @ NITESH KUMAR
Son of Birendra Singh Resident of Village- Rajepur, P.S.- Sahebganj, District-
Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Singh

For the Opposite Party/s : Mr. Akhileshwar Dayal

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 19-10-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Shri Akhileshwar Dayal, learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Baruraj P.S. Case No. 198 of 2019 for the offence registered under Sections 25(1)(A)(B) 25 (1-B)A, 26 and 35 of the Arms Act and Sections 3, 4 and 5 of the Explosive Substance Act.

The allegation is regarding the petitioner having helped the co-accused persons, namely, Pintu in manufacturing and selling of illegal pistol and bombs, about which the said co-



accused person, namely, Pintu has disclosed in his confessional statement.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and is having a clean antecedent. It is further submitted that the petitioner has been falsely roped in the present case merely on suspicion and on the basis of confessional statement of the co-accused person, namely, Pintu.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the fact that the petitioner is having a clean antecedent and he has been merely roped in the present case on the basis of confessional statement of the co-accused person and that too on suspicion, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the petitioner, above named, is directed to be released on anticipatory bail in the event of his arrest/surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten



Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Muzaffarpur in connection with Baruraj P.S. Case No. 198 of 2019 subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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