

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21341 of 2020

Arising Out of PS. Case No.-146 Year-2019 Thana- BELHAR District- Banka

RAVI CHOUDHARY @ RAVI KUMAR CHOUDHARY S/O Ashok Kumar Chaudhary @ Ashok Prasad Choudhary, resident of village-Chirouta Tola Chirauta PS Belhar District Banka

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha

For the Opposite Party/s : Mr. Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 12-08-2020 Heard both sides.

The matter has been taken up through video conferencing.

The petitioner seeks bail in Belhar P.S. case No. 146/2019 registered u/s 25(1-b) a/ 26(ii)/ 35 of the Arms Act and u/s 17 of CLA Act.

The informant, S.H.O. of Belhar P.S., got information that Ravi Choudhary, a veteran criminal, had kept concealed arms and ammunition in the house of Jageshwar Das for committing some serious offences. On such, the informant raided the house of Jageshwar Das and recovered huge quantity of arms and ammunition. Jageshwar Das disclosed the name of petitioner that it was he who had kept concealed arms and



ammunition in his house.

The learned counsel for the petitioner submits that nothing has been recovered from the possession of the petitioner. The recovery of arms and ammunition was made from the house of Jageshwar Das and in the statement of Jageshwar Das the name of petitioner surfaced in the case. The petitioner was also implicated in one another case being Belhar P.S. case No. 318 of 2019 on the same and similar allegation but even in that case no recovery was made from the possession of the petitioner or from the house of the petitioner but the police implicated the petitioner in that case also on so called disclosure made by the person from whose house arms and ammunition was recovered. The petitioner is in custody since 28.11.2019.

The learned APP, however, opposed the prayer for bail and submitted that petitioner is accomplice of Jageshwar Das.

Having had to the facts that nothing has been recovered from the possession of the petitioner and name of the petitioner surfaced in the case on the basis of disclosure made by Jageshwar Das that petitioner had kept concealed arms and ammunition in his house although there is no such evidence or anybody has come forward to state the facts that petitioner has



ever concealed arms and ammunition in the house of Jageshwar Das, the petitioner, above named, is directed to be enlarged on bail on his furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka in connection with Belhar P.S. case No. 146 of 2019.

(Prabhat Kumar Jha, J)

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