

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22693 of 2020

Arising Out of PS. Case No.-201 Year-2020 Thana- KHAJANCHI HAT District- Purnia

CHANDAN CHAUHAN Son of Jagdish Chauhan Resident of Village -
Barbanna, P.S.- K.Hat, District - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava
For the Opposite Party/s : Md. Shakir Ahmad

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 01-10-2020

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.

Heard the learned counsel for the petitioner and Md. Shakir Ahmad, the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with K. Hat PS case no. 201 of 2020 registered for the offences punishable under Sections 25(1-B)a/26 of Arms Act.

The case of the prosecution is that upon information being received by the S.H.O. of Maranga O.P., the informant along with other police personnel had proceeded by jeep for investigation of a case bearing K.Hat (Maranga O.P.) P.S. case no. 200 of 2020 and when they had reached at the



alleged place of occurrence in village Barbanna and had searched the house of the brother of the said accused namely Chandan i.e. the petitioner herein, one countrymade pistol was recovered from his room, which was kept beneath the bed.

The learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in the present case. It is further submitted that the petitioner has got no complicity in the matter and is having a clean antecedent, however on account of enmity, the countrymade pistol has been planted and infact, no recovery of any kind of arms has been made from the conscious possession of the petitioner.

Per contra, the learned APP for the State 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 parties and taking into account the fact that the petitioner is having a clean antecedent and illicit arm has not been recovered from his conscious possession, I deem it fit and appropriate to admit the petitioner to the privilege of anticipatory bail. Accordingly, the abovenamed petitioner, in the event of his arrest or surrender before the court below within a



period of six weeks from the date of receipt/ production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with K. Hat PS case no. 201 of 2020 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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