

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28266 of 2020

Arising Out of PS. Case No.-15 Year-2020 Thana- NADI NAINAHA District- West
Champaran

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SURESH CHAUDHARY Son of Late Khedan Chaudhary Resident of
Village- Patarkha, Police Station- Manuapul, District- West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No 7, Adv.
For the Opposite Party/s : Mr. Nagendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 13-11-2020 Heard learned counsel for the petitioner and learned
APP for the State, through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Nadi P.S. Case No. 15 of 2020 registered under sections 341, 323, 504 and 506 of the Indian Penal code and sections 25(1-B)(a) and 26 of the Arms Act.

As per allegation in the FIR while the informant was returning on his tractor, he was stopped by the petitioner on the point of his gun and also started to abuse him. Finally the petitioner was overpowered by the public, who handed him over to the police along with the seized arms.

It is submitted by learned counsel for the petitioner



that sections under the Indian Penal Code are bailable and the offence under sections 25(1-B)(a) and 26 of the Arms Act in the case would also be bailable in the case as the alleged seizure has been made by the public. The petitioner is in custody since 13.5.2020 and he has no criminal antecedent.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the petitioner being in custody since 13.5.2020, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Nadi P.S. Case No. 15 of 2020 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 Judicial Magistrate 1st Class, Bagaha, West Champaran.

(Partha Sarthy, J)

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