

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30183 of 2020

Arising Out of PS. Case No.-368 Year-2020 Thana- SAHARSA District- Saharsa

Chhotu Kumar, Male, aged about 20 years, Son of - Gouri Shankar Das,
Resident of - Bhartiya Nagar Ward No. 25, P.S. Saharsa Sadar, Dist. - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha, Advocate
For the State : Mr.Akhileshwar Dayal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-11-2020 Heard the parties through the virtual court proceeding.

Since physical court proceeding is not functioning due to present Pandemic Covid-19, the matter is listed with defect.

Learned counsel for the petitioner undertakes to remove the defect within three weeks of normal functioning of the court after the lockdown, failing which the office is directed to place the matter before the Bench.

The petitioner seeks bail in connection with Saharsa Sadar P.S. Case No. 368 of 2020 registered for the offences punishable under Sections 25(1-b)a/26/35 of the Arms Act.

The informant got a secret information that one wanted criminal Sajan Kumar along with his associate has come on his Bullet Motor Cycle at Bharrahi chowk. The informant with other police personnel rushed to Bharrahi chowk. They saw



two youths as sitting on a Bullet Motor Cycle, who started fleeing away on seeing the police. On chasing, both the culprits were caught. As per seizure list, one loaded country made pistol with two live cartridges of 7.65 bore were recovered from conscious possession of other co-accused Sajan Kumar. One live cartridge of 7.65 bore was recovered from conscious possession of this petitioner.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. He further submits that the prosecution story is completely false. It has further been submitted that nothing has been recovered from his possession. He has been caught on suspicion. Learned counsel for the petitioner further submits that the petitioner is in jail custody since 30.04.2020.

Learned A.P.P. for the State opposed the bail petition.

In the facts and circumstances of the case, let the above named petitioner be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) only with two sureties of the like amount each to the satisfaction of learned C.J.M., Saharsa in connection with Saharsa Sadar P.S. Case No. 368 of 2020.

However, the learned court below is directed to verify



the criminal antecedent of the petitioner before accepting the
bail bond.

(Anjani Kumar Sharan, J)

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