

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33707 of 2020

Arising Out of PS. Case No.-368 Year-2018 Thana- KARAHGAR District- Rohtas

ANIL KHARWAR Son of Hari Kharwar Resident of Village - Dharhara, P.S.-
Kargahar, District - Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Digvijay Kumar Ojha
For the Opposite Party/s : Mr. Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-12-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading “For
Orders” under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioner is directed to
remove the defect(s), as pointed out by the office, within a
period of four weeks after restoration of normalcy.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under Section
25(1-b)a/26/35 of the Arms Act.

Allegedly, one single barrel gun, a country-made pistol , 11
live cartridges of .315 bore, 20 live cartridges of 12 bore and
five empty cartridges are recovered in this case.



It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is in custody since 18-10-2019. Charge sheet has already been submitted. One single barrel gun, a country-made pistol , 11 live cartridges of .315 bore, 20 live cartridges of 12 bore and five empty cartridges are alleged to have been recovered from joint house of the petitioner. The petitioner had no knowledge regarding the alleged incident. The petitioner has remained in custody for more than one year. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Rohtas, Sasaram in connection with Khargar P.S. Case No. 368 of 2018.

(Sudhir Singh, J)

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