

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82846 of 2019

Arising Out of PS. Case No.-81 Year-2019 Thana- NASRIGANJ District- Rohtas

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GANDHI CHAUDHARY Son of Mahendra Chaudhary Resident of Village -
Amiyawar, P.S.- Nasriganj, Distt - Rohtas at Sasaram.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raghunandan Kumar Singh

For the Opposite Party/s : Mr.Ajit Kumar

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 23-06-2020 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Nasriganj P.S. Case No. 81 of 2019, disclosing the offence under Sections 25(1-b)a, 26, 35 of the Arms Act.

From the FIR, it transpires that the police recovered one country-made gun and 25 live cartridges from an old dilapidated multipurpose building. The petitioner has been named with the allegation that he was found fleeing away from the place from where the recovery was made.

Learned counsel appearing on behalf of the petitioner has submitted that the place of recovery does not belong to the petitioner and even if what has been alleged in the FIR is treated to be correct, it cannot be said that the recovery of fire-arms has



been made from the petitioner's conscious possession.

I find some force in submission made on behalf of the petitioner. This application is accordingly allowed. Let the petitioner, above-named, in the event of his arrest/surrender within six weeks from today in the court below, 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 Additional Chief Judicial Magistrate, Bikramganj, Rohtas at Sasaram in Nasriganj P.S. Case No. 81 of 2019, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/ Court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Rajesh/-

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