

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86983 of 2019

Arising Out of PS. Case No.-83 Year-2019 Thana- MEDNI CHAUKI District- Lakhisarai

RAJENDRA CHOUDHARY S/o Late Asharfi Choudhary R/o Mohalla-
Chuwabag, P.S.- Kasim Bazar, Distt- Munger.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dinesh Kumar Gupta
For the Opposite Party/s : Mr.Ashraf Ansari
Ms. Anita Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 27-05-2020 Heard the learned counsel for the petitioner and the
learned APP appearing for the State.

The petitioner seeks regular bail in connection with
Medni Chowki P.S. Case No. 83 of 2019, registered for the
offence punishable under Sections 25(1)(a)/25(1-aa)/25(1-b)
a/26/35 of the Arms Act.

The case of the prosecution in brief is that on 10.10.2019
at about 17.00 hours, the informant received secret information
that at village Rishi Paharpur, one Vidyanand Singh is engaged
in manufacturing arms and selling the same and has kept pistol
after bringing it from Munger whereupon the informant along
with the police force had reached at the said place and led a
seize whereupon one person had tried to flee away, but was



apprehended and upon search of the bag being held by the said apprehended person, namely, Vidyanand Singh, one country made pistol, six half manufactured pistol and six half manufactured barrel were recovered. It is further alleged that the house of the said apprehended person was also searched and upon interrogation, the said apprehended person, namely, Vidyanand Singh disclosed that his accomplices are Deepak Sharma and Rajendra Choudhary i.e. the petitioner herein and all three of them are engaged in the manufacturing of pistols. Thereafter, the informant and the police force had arrested the petitioner herein after raiding his house.

The learned counsel for the petitioner has submitted that the petitioner is innocent and he has been falsely implicated in the present case and though the petitioner is an accused in one other case, but he is on bail in the said case. It is further submitted that the petitioner is languishing in custody since 12.10.2019 and the admitted fact is that no recovery of illicit arms has been made either from the house of the petitioner or from his possession and except the confessional statement of the co-accused person, namely, Vidyanand Singh, there is no other material to connect the petitioner with the alleged crime.

Having regard to the facts and circumstances of the case,



considering the submissions made by the learned counsel for the petitioner as also taking into account the fact that no recovery of any sort of illicit arms has been made either from the possession of the petitioner or from his house, I deem it fit and proper to direct for release of the petitioner on bail upon him furnishing personal bond to the satisfaction of the learned Additional Chief Judicial Magistrate 1st Lakhisarai in connection with Medni Chowki P.S. Case No. 83 of 2019.

It is further directed that once the lock-down is over and normal situation is restored, the petitioner, above named, shall furnish bail bonds of a sum of Rs. 10,000/- with two sureties of the like amount each, within a period of four weeks, to the satisfaction of learned Additional Chief Judicial Magistrate 1st Lakhisarai in connection with Medni Chowki P.S. Case No. 83 of 2019, failing which the present privilege of bail being extended to the petitioner shall stand revoked automatically.

The present petition stands allowed.

(Mohit Kumar Shah, J)

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