

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.16528 of 2021**

Arising Out of PS. Case No.-18 Year-2020 Thana- BARH District- Patna

SHANTANU KUMAR @ CHUHARI Son of Late Raghunandan Das  
Resident of Village- Bichali Malahi, P.S.- Barh, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Tej Narayan Singh, Adv  
For the Opposite Party/s : Mr.Nirmala Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

4      23-11-2021                      Heard learned counsel appearing on behalf of the  
  
petitioner, Shri Tej Narayan Singh and learned APP Smt.  
  
Nirmala Kumari appearing on behalf of the State.

Let the defect(s) be removed within two weeks of the  
  
complete start of the physical Court in normal course.

Petitioner seeks regular bail in connection with Barh  
  
P.S. Case No. 18 of 2020 registered for offences punishable  
  
under Sections 25(1-b)a/26/35 of the Arms Act.

Informant in his written report has alleged that on  
  
13.01.2020 he received secret information that some unknown  
  
miscreants have assembled near Barh Block Office to commit  
  
some grave crime and when he reached there along with police  
  
party, on seeing the police party unknown miscreants tried to  
  
flee away however, after chase three were apprehended by the



police who disclosed their name as Shantanu Kumar (petitioner), Raushan Kumar and Dharamveer Kumar. From the possession of the petitioner two live cartridges and one country-made pistol were recovered.

Learned counsel on behalf of the petitioner submits that petitioner is innocent and he has falsely been implicated in this case due to ulterior motive. No independent witness has signed the seizure list and there is no compliance of Section 100 of the Code of Criminal Procedure. Petitioner is in custody since 14.01.2020.

Considering the facts and circumstances of the case, let the petitioner above named, be released on bail upon furnishing bail bond of Rs. 20,000/- (Rupees twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Barh in connection with Barh P.S. Case No. 18 of 2020 subject to the following conditions:

(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.



(iii) If the petitioner tempers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

**(Purnendu Singh, J)**

Niraj/-

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