

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.18357 of 2021**

Arising Out of PS. Case No.-180 Year-2020 Thana- SONBERSA District- Sitamarhi

Sudhir Kumar @ Chanwa, Male, aged about 20 years, Son of Chandradev Panjiyar @ Chanardev Panjiyar, Resident of Village - Bhutahi, Police Station - Sonbarsa, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mrs. Madhubala Verma, Advocate  
For the Opposite Party/s : Mr. H.A. Khan, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      26-08-2021                      Heard learned counsel for the petitioner and learned APP for the State through virtual court proceedings.

Learned counsel for the petitioner undertakes to remove the defects within three weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in a case registered for the offence punishable under Sections 25(1-B)(a)/26/35 of the Arms Act.

S.I., Sanjay Kumar alleged that he got secret information that some criminals have assembled in village Bhutahi near Indian Bank. The informant raided the place and



arrested two persons including the present petitioner.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. As per the the seizure list, one country made pistol and five live cartridges were recovered from the conscious possession of the petitioner. Petitioner is in custody since 19.09.2020. Petitioner has got four criminal antecedents registered under different sections of the Indian Penal Code as well as under the Arms Act, as mentioned in para-3 of the bail petition.

Learned APP for the State opposed the prayer for bail of the petitioner and submits that the petitioner has got criminal antecedents and the police has recovered one country made pistol and five live cartridges from the conscious possession of the petitioner.

Considering the period of custody, let petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned court below/successor court where the case is pending in connection with Sonbarsa P.S. Case No.180 of 2020, subject to the conditions:

(1) That one of the bailors will be a close relative of



the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to inform the court, if there is any change in the address of the petitioner.

(2) That the bailor shall also state on affidavit that he will inform the court concerned, if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

(3) That the petitioner will be well represented on each and every date fixed in the case and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(4) That the petitioner shall co-operate with the investigation, if not already concluded and make himself available as and when required and in case of failure, the State shall be at liberty to move for cancellation of bail.

**(Anjani Kumar Sharan, J)**

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