

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22853 of 2021

Arising Out of PS. Case No.-169 Year-2020 Thana- MARANCHI District- Patna

Gaurav Pandey, Son of Kariyanand Pandey Resident of Village- Rampur
Dumara, P.S.- Maranchi (Pachmahala), District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Premchandra Yadav, Adv.

For the Opposite Party/s : Mr. Arun Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 22-11-2021 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing for the State.

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

The petitioner seeks bail in connection with Maranchi
P.S. Case No.169 of 2020 registered under Section 25(1-b)a, 26,
35 of the Arms Act.

Prosecution case in brief is that on the basis of written
report of S.I., Maranchi dated 23.12.2020 the FIR was lodged
alleging that the petitioner along with Ankit Kumar have
assembled along with local persons and upon search one loaded
country-made pistol was recovered from the possession of Ankit
Kumar and live cartridges was recovered from the possession of
the petitioner.

Learned counsel appearing on behalf of the petitioner



submits that petitioner was only a passer by and has wrongly been implicated in this case. He along with other people was member of the crowd and due to some suspicion police has arrested on the spot. However, no such recovery was made from the possession of the petitioner. Learned counsel for the petitioner further submits that petitioner has clean antecedent and he is a student of B.A. Part-I and his whole career has been jeopardized by implicating him a false case and as such taking consideration the career of the petitioner he be released on bail.

Learned counsel appearing on behalf of the State submits that live cartridges were recovered from the possession of the petitioner and as such he do not deserves to be released on bail.

Considering the facts and circumstances of the case and allegation made in the FIR, it appears that petitioner was one of the member of the crowd and also the fact that no firearm was recovered from the possession of the petitioner. Further the petitioner is a student and he is pursuing his education and if he continues to be in jail his whole career will be jeopardized, I am of the opinion that the petitioner above named be released on bail on furnishing bail bond of Rs.25,000/-(Twenty Five Thousand) with two sureties of the like amount each to the



satisfaction of learned A.C.J.M., Barh in connection with Maranchi P.S. Case No.169 of 2020 subject to the following conditions:-

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

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

(3) If the petitioner tampers 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)

Prakash Narayan /-

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