

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24075 of 2021

Arising Out of PS. Case No.-663 Year-2020 Thana- DANAPUR District- Patna

CHANDAN KUMAR S/O PATLU RAI R/O VILLAGE-GOLA ROAD,
JHAKHARI MAHADEO, P.S.-DANAPUR, DISTRICT-PATNA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate

For the Opposite Party/s : Mr. Ajit Kumar, A.P.P

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 23-11-2021 Heard Sri Dewendra Narayan Singh, learned
counsel for the petitioner and Sri Ajit Kumar, learned A.P.P. for
the State.

The petitioner seeks bail in connection with
Danapur P.S. Case No. 663 of 2020, registered under Section
25(1-b)a, 26 of the Arms Act.

The prosecution case, in brief, is that a raid was
conducted in which loaded country made Katta along with live
cartridges and mobile phone was recovered from the
possession of the petitioner.

Learned counsel appearing for the petitioner
submits that no incriminating object, as alleged in the F.I.R.
has been recovered from the conscious possession of the
petitioner and alleged seizure-list was prepared at the Police
Station, where, in coercion, the petitioner was forced to put his



signature. It is further submitted that no independent witnesses have put their signature on the seizure-list and as such the said seizure-list cannot be relied upon. He further submits that petitioner has no criminal antecedent and is languishing in custody since 25.11.2020.

Learned A.P.P. for the State submits that fire arm was recovered from the conscious possession of the petitioner and as such the petitioner is not liable to be released on bail.

Considering the aforesaid facts and circumstances of the case and the period of custody as well as the seizure-list from which it appears that the same was prepared in the Police Station and there is no independent witness to it. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M-I, Danapur at Patna in connection with Danapur P.S. Case No. 663 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.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bond.

(Purnendu Singh, J)

manish/-

U			
---	--	--	--

