

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24899 of 2021

Arising Out of PS. Case No.-164 Year-2020 Thana- RAJPUR District- Rohtas

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TEJPAL CHOUDHARY Son of Ramesvar Chaudhary Resident of Village-
Darekhap, P.S.- Rajpur, District- Rohtas ... Petitioner/s

Versus

The State of Bihar ... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar Singh, Advocate
For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-07-2021 Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under sections 25,26 and 27 of the Arms Act.

As per the prosecution case, one country made rifle, two country made katta, nine live cartridges of .315 bore and two live cartridges of 303 and three khokha were recovered from the house of the petitioner. It is further alleged that the petitioner was engaged in sale, purchase and supply of the arms and ammunition.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. No incriminating material has been recovered from the conscious possession of the petitioner as the house in question belong to joint family property. Petitioner claims clean antecedent and he is in custody since 25.10.2020.

Learned counsel appearing for the State opposes the



prayer for bail.

Considering the rival submissions of the parties, materials available on the record and the period of custody of the petitioner, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Smt Nisha Kumari JM 1st class, Bikramganj Rohtas in Rajpur Police Station Case No. 164 of 2020 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

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

(Prabhat Kumar Singh, J)

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