

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29889 of 2021

Arising Out of PS. Case No.-503 Year-2020 Thana- HILSA District- Nalanda

ANUP CHAUHAN S/o Late Genda Chauhan R/o village- Puna, Nonia Bigha,
P.S.- Hilsa, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Kumar

For the Opposite Party/s : Mr. Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-08-2021 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 four 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 Section 25 (1-b)a/26/35 of the Arms Act.

Acting on a tip-off, when the police party raided in village Nonia Bigha, after the seeing the police party two persons started to flee away but any how one person was apprehended and the petitioner is said to have managed to



escape. The apprehended person named the petitioner as one of his fleeing accomplice. One country made rifle is said to have been recovered from the house of the petitioner.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He is quite innocent and has been falsely implicated in this case on the confessional statement of co-accused Bholu Chauhan. He was not apprehended on the spot. No incriminating article has been recovered from his conscious physical possession. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is nothing in the record indicating the complicity of the petitioner in the occurrence barring the confessional statement of co-accused Bholu Chauhan which has no evidentiary value in the eye of law. The petitioner has no criminal antecedent and has been languishing in custody since 20.01.2021.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged 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 where the case is pending/successor Court in
connection with Hilsa P.S. Case No.503 of 2020.

(Anjani Kumar Sharan, J)

Trivedi/-

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