

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40308 of 2020

Arising Out of PS. Case No.-257 Year-2020 Thana- BHAGWAN BAZAR District- Saran

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UMESH CHAUDHARY S/o Rambishun Chaudhary Residence of Mohalla-
Nabiganj, P.S.- Bhagwan Bazar, Distt- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar

For the Opposite Party/s : Ms. Rina Sinha

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 02-03-2021 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Bhagwan Bazar Police Station Case No. 257 of 2020, registered
for the offence punishable under Sections 25(1-b)a/26 of the
Arms Act.

The allegation, as per the First Information Report, is
that the police intercepted the petitioner and recovered one
loaded country-made pistol from his possession.

Learned Counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged
and he has falsely been implicated in this case. He next submits
that the procedures prescribed for search and seizure has not
been followed at the time of recovery of fire-arm from the



petitioner. He next submits that the petitioner is in custody since 07.06.2020, i.e., for more than six months. He next submits that charge sheet has been submitted against the petitioner and as such, there is no likelihood of the petitioner being abscond or tamper with the evidence.

Having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that the petitioner is in custody since 07.06.2020 and charge sheet has been submitted against him, I am inclined to grant regular bail to the petitioner.

This application is allowed.

Accordingly, let the petitioner, above named, be released on bail, upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Saran, at Chapra, in connection with Bhagwan Bazar Police Station Case No. 257 of 2020.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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