

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40947 of 2020

Arising Out of PS. Case No.-365 Year-2020 Thana- BANKA District- Banka

Awadhesh Chouhan, Male, S/o Basudeo Chuhan, R/o Village- Telaundha,
P.S.- Dhoraiya, District- Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajib Ranjan Jha, Adv.
For the Opposite Party/s : Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 03-03-2021 Heard learned counsel for the petitioner and learned
APP for the State, through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Banka (Barahat) P.S. Case no. 365 of 2020 registered under sections 25(1-B)(a), 26 and 35 of the Arms Act.

As per allegation in the FIR, a loaded country made pistol and a live cartridge are stated to have been recovered from the waist of the petitioner.

It is submitted by the learned counsel for the petitioner that the allegation of recovery is incorrect. He has been falsely implicated in the case. The petitioner is in custody since 16.5.2020 i.e. for more than nine months and chargesheet has been submitted.



The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the petitioner being in custody since 16.5.2020, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Banka (Barahat) P.S. Case no. 365 of 2020 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 Chief Judicial Magistrate, Banka.

(Partha Sarthy, J)

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