

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39621 of 2020

Arising Out of PS. Case No.-258 Year-2020 Thana- CHAINPUR District- Kaimur (Bhabua)

Raju Singh Son of Chirkut Singh Resident of Village- Parvatpur, P.S.-
Chainpur, District- Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjay Kumar Patel, Advocate

For the Opposite Party/s : Ms. Asha Devi APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 15-03-2021 Heard learned counsel for the petitioner and the learned
APP for the State.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon to do so by the office.

The petitioner seeks bail in Chainpur PS Case No 258 of 2020, instituted for the offence under Sections 25(1-b)a/25(1-aa) and 35 of the Arms Act.

The prosecution case is that the petitioner has been posting some photos with a gun, thereafter, his hut has been raided leading to recovery of a gun. Upon the petitioner disclosure regarding purchase of the weapon from co-accused, some recoveries have also been made from the co-accused persons.

The petitioner's counsel submits that even as per prosecution case, there is recovery of one gun, which is said to have been purchased from the supplier. The petitioner is not a



supplier. He has no criminal antecedents and he is in custody since 16.08.2020. Against co-accused, namely, Dhanej Sharma and Salimu Khan, there is allegation of trade in weapon.

The learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate- II, Kaimur at Bhabua, in connection with Chainpur PS Case No. 258 of 2020, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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