

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7280 of 2022

Arising Out of PS. Case No.-366 Year-2021 Thana- NAUTAN District- West Champaran

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Rajendra Sharma Son of Late Dhruplal Sharma R/O Village- Ekderwa, P.S.-
Gopalganj Town, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anirudh Kumar Verma, Advocate

: Mr. Vyas Kumar Mishra, Advocate

For the State : Mr. Navin Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 20-09-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Nautan
P.S. Case No. 366 of 2021 registered for the offence under
Section 414 of the Indian Penal Code and Sections 25(1-b)a, 26
and 35 of the Arms Act.

The accused/petitioner is named in the F.I.R. and is in



custody since 25.09.2021.

The allegation against the petitioner is to have in possession of two country made pistols, alongwith two live cartridges.

Learned counsel appearing on behalf of the petitioner submitted that recovery of alleged fire arms were not made from the person of the petitioner, rather recovered from the plastic bag. It is submitted that alleged motorcycle was jointly occupied. It is further submitted that recovery of fire arms cannot be said to be made from the conscious physical possession of the petitioner. While concluding the argument, it is submitted that investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State opposes the prayer of bail.

In view of the facts and circumstances, as mentioned above and also by considering the custody period coupled with the fact that chargesheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Nautan P.S. Case No. 366 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with



two sureties of the like amount each to the satisfaction of
learned Judicial Magistrate- 1st Class, West Champaran,
Bettiah/concerned Court, subject to the conditions as laid down
u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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