

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19968 of 2021

Arising Out of PS. Case No.-65 Year-2020 Thana- CHANDI District- Bhojpur

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1. CHANDAN KUMAR @ CHANDAN YADAV Son of Shiv Kumar Singh
Resident of Village - Rampur, P.S.- Chandi, Dist.- Bhojpur
 2. Akhilesh Kumar @ Akhilesh Singh Son of Shiv Kumar Singh Resident of
Village - Rampur, P.S.- Chandi, Dist.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Adv.

For the Opposite Party/s : Mr.Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-01-2022 Heard the parties through virtual court proceedings.

Learned counsel for the petitioners undertakes to remove the defects as pointed out by the office, within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, the office will place the matter before the Bench.

The petitioners apprehend their arrest in a case in connection with Chandi P.S. Case No.65 of 2020, registered for the offence punishable u/s 25(1-B)a, 26, 35 of the Arms Act.

Allegation as against the petitioners is that from the room of the petitioner no.2 one loaded country made pistol, two live cartridge, one loaded country made rifle, two live cartridge has



been recovered. It is alleged that one accused Jaggu @ Dharmveer Singh was apprehended on the spot. From the room of Indramani, one double barrel gun, six live cartridge and nine empty cartridge have been recovered.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to exchange of hot talks between the informant and the petitioners. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. No incriminating articles has been recovered from the conscious physical possession of the petitioners nor they have been apprehended on the spot. The said recovery has been made from the joint house property of the petitioner. Petitioners have one criminal antecedent, as also mentioned in para-3 of the anticipatory bail application and similarly situated co-accused namely Fulel Singh @ Indramani Singh has been enlarged on bail vide Cr. Misc. No.29669/2020 dated 10.12.2020 by a co-ordinate Bench of this Court.

Learned counsel for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below



within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each 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 Chandi P.S. Case No.65 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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