

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22482 of 2022

Arising Out of PS. Case No.-382 Year-2021 Thana- RAJGIR District- Nalanda

=====

SUBODH KUMAR TAMOLI S/o Late Suraj Tamoli Resident of Village-
Ambedkar Nagar, P.S.- Silao, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anil Chandra, Advocate

For the Opposite Party/s : Dr. Ajeet Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 26-08-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State,

through Virtual Court Proceedings.

Let the defect(s), if any, be removed within a period of

four weeks from today.

The petitioner seeks bail in connection with Rajgir P.S.

Case No. 382 of 2021 registered for the offence under 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 16.11.2021.

The allegation against the petitioner is to have in

possession of illegal firearms along with other co-accused persons.

Learned counsel appearing on behalf of the petitioner

submitted that name of the petitioner surfaced in the present case,

after disclosure of apprehended co-accused, namely, Vijay Kumar,



who has already been granted bail by this Court through Cr. Misc. No. 16554 of 2022 dated 19.07.2022. It is also submitted that no firearms was recovered from the possession of the petitioner, as per seizure list. While concluding the argument, it is submitted that investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded the fact that petitioner was not apprehended on spot, as per FIR.

Considering the facts and circumstances as mentioned above, as recovery of alleged firearms was not made from possession of the petitioner, as per seizure list coupled with the fact that charge-sheet has already been submitted in this case, let the petitioner, above named, is directed to be released on bail in connection with Rajgir P.S. Case No. 382 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 Chief Judicial Magistrate, Nalanda at Biharsharif/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

S.Katyayan/-

U		T	
---	--	---	--

