

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35120 of 2021

Arising Out of PS. Case No.-245 Year-2020 Thana- CHANDAN District- Banka

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BRAJESH CHOUDHARY @ BRAJESH KUMAR CHOUDHARY @
BRAJESH KUMAR SON OF SHANKAR PRASAD CHOUDHARY
RESIDENT OF VILLAGE - SUIYA BAZAR CHOWK, POLICE STATION-
SUIYA, DISTRICT - BANKA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 04-01-2022 Heard Mr. Ajay Mukherjee, learned counsel for the

petitioner and Mr. Akshay Lal Pandit, learned Additional Public

Prosecutor appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with

Chandan (Anandpur) P.S. Case No. 245 of 2020 registered for

the offence punishable under Sections 25(1-b)a and 26 of the

Arms Act.

One country made pistol and two live cartridges have

allegedly been recovered from the possession of the petitioner.

Learned counsel for the petitioner submits that the

petitioner has got no criminal antecedent of similar nature of the

offence, he is in custody since 23.12.2020 and the charge sheet

has already been submitted against him. He further submits that



at the time of seizure of fire arms from the petitioner, the procedure prescribed under Section 100 Cr. P.C. has not been followed by the Police.

Regards being had to the submission made by the parties and taking into consideration the materials on record and the fact that the petitioner is in custody since 23.12.2020 and charge sheet has already been submitted, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate/Successor Court, Banka, in connection with Chandan (Anandpur) P.S. Case No. 245 of 2020.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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