

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39673 of 2021**

Arising Out of PS. Case No.-34 Year-2021 Thana- BETTIAH CITY District- West
Champaran

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PAPPU PATEL Son of Gagandev Patel Resident of Village - Chargaha, P.S.-
Bettiah Mufassil, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Prem Kr. Jha, APP

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 29-01-2022 The instant case has been taken up for consideration

through the mode of Video conferencing in view of the

prevailing situation on account of COVID 19 Pandemic,

requiring social distancing.

Heard the learned counsel for the petitioner and Sri

Prem Kr. Jha, the learned APP for the State.

The petitioner seeks regular bail in connection

with Bettiah Nagar PS case no. 34 of 2021 instituted for the

offences punishable under Sections 25(1-b)a, 26 of Arms Act.

The allegation is regarding the police having

received confidential information that the petitioner and one

other co-accused person were trying to flee away from Bettiah,

after having committed some mischief, whereafter the police

force had raided the bus stand situated at Bettiah and had



apprehended the petitioner. It is further alleged that upon interrogation, the petitioner had disclosed the place where he had kept used firearms, whereafter the police had recovered a countrymade pistol from the said place.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is languishing in custody since 15.01.2021. The learned counsel for the petitioner has further submitted that only on account of bad antecedent of the petitioner, the petitioner has been falsely implicated in the present case, whereas the fact is that no arms have been recovered from the conscious possession of the petitioner.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that no arms have been recovered from the conscious possession of the petitioner and the petitioner is languishing in custody since about one year, I deem it fit and proper to admit the petitioner to the privilege of bail.



Accordingly, the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of C.J.M., Bettiah, West Champaran in connection with Bettiah Nagar PS case no. 34 of 2021.

(Mohit Kumar Shah, J)

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