

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40798 of 2021**

Arising Out of PS. Case No.-96 Year-2021 Thana- CHHATAUNI District- East Champaran

RAJA KUMAR Son of Binod Patel @ Vinod Raut Resident of Village -
Indranagar, P.S. Chhatauni, District - East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

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

2 03-01-2022 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Chhatauni P.S. Case No. 96 of 2021 for the offence registered
under Sections 25(1-b), 26 and 35 of the Arms Act.

The allegation is regarding recovery of one live
cartridge from the possession of the petitioner while he was
apprehended by the police and search was made. One country
made pistol with one live cartridge is also stated to have been
recovered from co-accused person Rohit Kumar.

The learned counsel for the petitioner has submitted
that the petitioner is innocent, has been falsely implicated in the
present case and he is languishing in custody since 16.03.2021.

Per contra, the learned counsel 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 petitioner and taking into account the materials available on record as also considering the period of incarceration of the petitioner herein, I deem it fit and proper to direct for release of the petitioner herein on regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Motihari, East Champaran in connection with Chhatauni P.S. Case No. 96 of 2021.

(Mohit Kumar Shah, J)

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