

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 38368 of 2022

Arising Out of PS. Case No.-38 Year-2022 Thana- CHERIYA BARIYARPUR District-
Begusarai

=====

Nitish Kumar Son of Shankar Mahto Resident of - Arjun Tol, Ward No.-4,
P.S.- Cheria Bariyarpur, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

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

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

=====

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 23-09-2022 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 Cheria
Bariyarpur P.S. Case No. 38 of 2022 registered for the offence
under Section 25(1-b)a/26) of the Arms Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 14.02.2022.

The allegation against the petitioner is to have in
possession of one loaded country made pistol.

Learned counsel appearing on behalf of the petitioner
submitted that petitioner has been implicated in present case due



to local dispute and differences. It is further submitted that the seizure list is not supported by independent witnesses rather same is supported by police personnels creating the further doubt over entire allegation. Petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, for which charge-sheet has been submitted, as such, there is no chance of tempering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as seizure list is not supported by independent witnesses, where, petitioner is a man of clean antecedent coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Cheria Bariyarpur P.S. Case No. 38 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M, Manjhaul/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Archana/-

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

