

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47629 of 2021

Arising Out of PS. Case No.-34 Year-2021 Thana- CHAORI District- Bhojpur

Upendra Rai @ Chamaku Rai S/O Late Jagdish Rai R/O Village-Dulamchak,
P.S-Chauri, District-Bhojpur.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kalyan Shankar- Advocate

Ms. Smita Kumari- Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-01-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Chauri P.
S. Case No.34 of 2021, instituted for the offences under
Sections 307, 353, 414, 386, 506/ 34 of the Indian Penal Code
and Sections 25(1-b)a, 26, 27 of the Arms Act.

The learned counsel for the petitioner submits that the
petitioner is in custody since 20.03.2021 and charge-sheet has
been submitted in the case.

Allegation is of firing at the police and also recovery
of loaded pistol and seven live cartridges from the possession of
the petitioner.

The learned counsel for the petitioner submits that if
the petitioner had fired at the police, then definitely the F.I.R.



would have recorded that someone got injured, but there is absolutely nothing in the F.I.R. to even remotely suggest that any police personnel were injured. The learned counsel further submits that at best, it is a case under the Arms Act to give serious colour to the case. The informant alleges that petitioner even fired at the police personnel.

The learned A.P.P. for the State opposes the bail application.

Considering the fact that the petitioner is in custody since 20.03.2021 and charge-sheet has been submitted in the case, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-6, Bhojpur, Ara in connection with Chauri P. S. Case No.34 of 2021, one of the bailors shall be the nephew of the petitioner namely, Narayan Mauor.

The application stands allowed.

(Satyavrat Verma, J)

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