

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.48477 of 2021**

Arising Out of PS. Case No.-563 Year-2020 Thana- SIWAN CITY District- Siwan

AKASH KUMAR CHAUDHARY S/o- JITENDRA CHAUDHARY Resident  
of Village- Chatra Patila, P.S.- Kopa, District- Saran, At present Railway  
Colony, Siwan.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

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

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

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**

ORAL ORDER

2      11-03-2022      Heard Mr. Ashok Kumar, 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 Siwan  
Nagar P.S. Case No. 563/2020 registered for the offence  
punishable under Sections 414/34 of the Indian Penal Code  
1860, Sections 25(1-b)a, 26 and 35 of the Arms Act.

The Police on the basis of secret information that  
some miscreants have assembled along with firearms near  
Mahabir Asthan, proceeded towards the place of occurrence and  
arrested the petitioner and other accused persons. On search, a  
loaded pistol was recovered from possession of co-accused  
Baiju Kumar and a sum of Rs.4,000/- and a Hero Extreme  
Motorcycle were recovered from co-accused Govinda Chauhan.

Learned counsel for the petitioner submits that no



incriminating material has been recovered from possession of the petitioner and co-accused Govinda Chauhan from whose possession cash of Rs.4,000/- and Motorcycle were recovered, has been granted bail by a co-ordinate Bench of this Court in Cr. Misc. 44133 of 2021. He further submits that the petitioner is in custody since 7.12.2020.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that no incriminating article has been recovered from possession of the petitioner, other co-accused has been granted bail by a co-ordinate Bench of this Court, the petitioner is in custody since 7.12.2020 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.20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan, in connection with Siwan Town P.S. Case No. 563/2020.

**(Anil Kumar Sinha, J)**

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