

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43157 of 2022

Arising Out of PS. Case No.-113 Year-2022 Thana- MOTIPUR District- Muzaffarpur

Chandan Kumar Son of Prasad Sahni Resident of village - Bhagwatiya, P.S.-
Kesariya, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mrs.Bela Singh, Advocate
		Mr. Rajeev Ranjan, Advocate
For the Opposite Party/s :		Mr. Binod Kumar No. 3, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 23-11-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner seeks regular bail in connection with Motipur P.S.

Case No. 113 of 2022 registered for the offences punishable

under Section 414 of the Indian Penal Code and Sections 25 (1-

b)a, 26 of the Arms Act.

As per the prosecution, the informant along with other

police personnel while on patrolling duty apprehended this

petitioner with a co-accused person and upon making search

from the possession of this petitioner a country-made pistol with

one cartridge were recovered and from the possession of the co-accused person one live cartridge and motorcycle with no proper documents were recovered.

The main submissions advanced by learned counsel Mrs. Bela Singh, appearing for the petitioner are that the petitioner has been languishing in jail since 23.03.2022 having clean antecedent and the recovered motorcycle belongs to petitioner's co-villager namely, Anish Kumar Singh and at the time of recovery the said motorcycle was being used by the petitioner to take his ill mother to the hospital.

Learned APP Mr. Binod Kumar No. 3, appearing for the State has opposed the prayer for bail.

Heard both the sides and perused the FIR. Though from the possession of this petitioner as per the allegation one loaded country-made pistol was recovered but considering his young age mentioned in the FIR and his clean antecedent as mentioned in the petition and also considering his custody period, in the opinion of this Court the petitioner deserves to a lenient approach of this Court. Accordingly, let the petitioner be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Motipur

P.S. Case No. 113 of 2022.

(Shailendra Singh, J.)

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