

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49138 of 2022

Arising Out of PS. Case No.-70 Year-2022 Thana- BALIYA District- Begusarai

CHHOTU KUMAR Son of Lalan Kumar Chaudhary Resident of Village -
Bhagatpur, P.s.- Baliya, Distt.-Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Y.C. Verma, Sr Advocate
		Mr. Priyanka Singh, Advocate
For the Opposite Party/s :		Mr.Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 23-12-2022 Heard Mr. Y.C. Verma, learned senior counsel for the
petitioner and Mr. Md. Aslam Ansari, learned Additional Public
Prosecutor for the State through video conferencing.

Petitioner seeks regular bail in connection with Balia
PS Case No. 70/2022 registered for the offence punishable
under Sections 25(1-AA), 25(1-b)a, 26 and 35 of the Arms Act.

As per prosecution case, one carbine with magazine
along with one folding knife have been recovered from the
possession of the petitioner.

Learned senior counsel for the petitioner submits that
the petitioner has not committed any offence in the manner
alleged and at time of seizure, procedure prescribed under
Section 100 CrPC has not been complied with. He further
submits that the petitioner is in custody since 10.03.2022 i.e.,



for more than six months.

On the other hand, learned counsel for the State opposing the prayer for bail submits that petitioner has got criminal antecedents of similar nature of offence and under the NDPS Act.

Regard being had to the submissions made by the parties and taking into consideration the nature of allegation and the fact that the petitioner has got criminal antecedent of similar nature of offence, I am not inclined to grant regular bail to the petitioner at this stage.

However, if so advised, petitioner may renew his prayer for bail after six months if the trial does not register substantial progress.

(Anil Kumar Sinha, J)

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