

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1608 of 2022

Arising Out of PS. Case No.-80 Year-2020 Thana- PURNAHYA District- Sheohar

RAHUL JHA Son of Sanjay Jha Resident of Village- Dostiya North, P.S.-
Purnahiya, District- Sitamarhi.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikash Kumar Jha, Adv.

For the Opposite Party/s : Mr. Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 08-06-2022 Heard counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Purnahiya P.S. Case No. 80 of 2020 lodged under Sections 25(1-
b)(a) and 26 of Arms Act.

As per the allegation made in the F.I.R., the recovery
of one loaded desi pistol and two live cartridges were made
from the possession of the petitioner.

Learned counsel for the petitioner submits that alleged
recovery was made at 7.20 according to seizure list but the said
F.I.R. was lodged at 8.30 which is unacceptable. He also
submits that charge sheet has been filed and petitioner is
languishing in jail since 29.06.2020 i.e. about 2 years.

Learned A.P.P. has opposed the prayer for bail.

Upon considering the argument and after perusal of

the record, the first contention of the petitioner that seizure has been made at 7.20 and F.I.R. has been lodged at 8.30 is not accepted because during random search the recovery made earlier and F.I.R. may be lodged later. But the period of custody i.e since about 2 years and charge sheet has already been filed is acceptable. The point that he was also involved in a criminal case under Section 302 of I.P.C., there is already another F.I.R. for the offence committed by him under section 302 of I.P.C.

Therefore, due to this reason, let the petitioner above named, be granted bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-II, Sheohar in connection with Purnahiya P.S. Case No. 80 of 2020.

(Dr. Anshuman, J)

ravishankar/-

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