

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9146 of 2023

Arising Out of PS. Case No.-594 Year-2022 Thana- RAMNAGAR District- West Champaran

PAWAN KUMAR SINGH @ PAWAN DAS @ DAS Son of Late Laljee Singh Resident of village- Kawalpur, P.S.- Chhawani, District- Basti (U.P.) and Rahan Sahan Ke, Dwara- Indradeo Das, Village- Hanuman Garhi, Ayodhya, P.S.- Ramjanm Bhumi, District- Ayodhya (U.P.), At present village- Sohasa Phulwariya Math, P.S.- Ram Nagar, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Krishna Jha, Advocate

For the Opposite Party/s : Mr.Mukesh Kumar Singh, App

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 19-04-2023 Heard learned counsel for the petitioner and the learned APP for the State.

2. Petitioner seeks regular bail in connection with Ram Nagar P.S. Case No. 594 of 2022 dated 20.12.2022 registered for the offence(s) punishable under Section(s) 25(1-b)a, and 26 of the Arms Act.

3. The main submissions advanced by the learned counsel for the petitioner are that as per the seizure memo the alleged firearm which is stated to be a country made gun, was recovered from a *Math* and at the time of said recovery the petitioner was staying in the said *Math* and he has no connection with the said *Math* except his short stay there.



Further submissions are that the petitioner has fair and clean antecedent and on the seizure memo of the alleged firearm, the petitioner's signature was not taken and the recovery of the alleged firearm was not made from his conscious possession and the same was made from the roof of the said *Math*.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Considering the above submissions and mainly petitioner's fair and clean antecedent, mentioned in the petition, and also the fact that the alleged firearm was not recovered from the conscious possession of the petitioner and the same is stated to have been recovered from the roof of the said Math, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the petitioner be released on bail in connection with Ram Nagar P.S. Case No. 594 of 2022 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.

(Shailendra Singh, J)

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