

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16403 of 2023

Arising Out of PS. Case No.-310 Year-2022 Thana- CHAUTHAM District- Khagaria

Sulen Choudhary Son of Late Koko Chaudhari R/V- Agrahan Ward no. 15,
P.S- Chautham Dist- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Choudhary

For the Opposite Party/s : Mr. Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 07-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 25(1-AA), 26(i) (ii), 35 of the Arms Act.

The prosecution case relates to recovery of one country made pistol, two half formed country made pistols, iron cutting instrument and other articles relating to manufacturing of weapons, from the Basa of the petitioner.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and has committed no offence. He has falsely been implicated in the present case. Neither anything has been recovered from the conscious possession of the petitioner nor the Basa belongs to the petitioner. The petitioner



has no concern with alleged arms which were seized by the police. Both the seizure list witnesses are police personnel which is complete violation of Section 100 of Cr.P.C. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. The petitioner is languishing in judicial custody since 15.11.2022.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Chautham P.S. Case No. 310 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria.

(Sunil Kumar Panwar, J)

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