

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47404 of 2023

Arising Out of PS. Case No.-192 Year-2022 Thana- SONEPUR District- Saran

Chandan Rai, aged about 26 years, son of late Bihari Rai, resident of village -
Pravejabad, P.S.- Sonapur, District- Saran at Chapra

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate
For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 11-08-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Sonapur PS Case No. 192 of 2022 dated 18.03.2022, instituted
under Sections 25(1-B)a, 26, 35 of the Arms Act.

3. The prosecution story, in short, is that on the
alleged date of occurrence the informant was going on his plot
and when he reached in front of the house of Ram Sahay Tiwari,
the accused, Banti Rai and Chandan Rai (the petitioner) came
and pointed the pistol at him. Upon the shouting of the
informant, nearby people reached and saved his life. The
informant snatched the pistol from the hand of Banti Rai.
However, both the persons fled away from the place of
occurrence.

4. Learned counsel for the petitioner submits that



nothing was recovered from the possession of the petitioner. The allegation is that accused Banti Rai pointed out the pistol on the informant. It is further submitted that the production cum seizure list shows that the pistol which the informant snatched from the accused Banti Rai was without any cartridge. It is further submitted that the petitioner is the neighbour of the informant and he has been falsely implicated in this case. The allegation of holding firearm is against Bunty and not against the petitioner. Lastly, it is submitted that one criminal case is pending against the petitioner.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran at Chapra in Sonapur PS Case No. 192 of 2022, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Khatim Reza, J)

J. Alam/-

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