

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41806 of 2023

Arising Out of PS. Case No.-35 Year-2023 Thana- KASIMBAZAR District- Munger

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Ajay Chaudhary Son Of Late Tulsi Chaudhary Village- Nawadih Panari Ps-
Hunter Ganj Dist- Chatra Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjiv Kumar Singh, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 14-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Kasimbazar P.S. Case No. 35 of 2023 dated 13.02.2023, instituted
for the offence punishable under Sections 25(1-b)a/26(i)(ii)(iii)/35
of the Arms Act.

3. The prosecution case, in short, is that on 13.03.2023
at about 09.45 am the informant received a secret information that
the arms smuggler is coming after purchasing illegal arms. The
informant started checking vehicles and apprehended the petitioner
and recovered one 7.65 mm country made pistol, 20 mm live
cartridges of 7.65 mm and one mobile phone from conscious
possession of the petitioner.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and he has been falsely implicated in this case due to ulterior motive of the informant. Learned counsel for the petitioner submits that there is no independent witness of the search and seizure of the case. Learned counsel for the petitioner submits that nothing incriminating article has been recovered from the conscious possession of the petitioner. Lastly, it has been submitted that the petitioner is in custody since 14.02.2023 having no criminal antecedents. Charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let 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 C.J.M, Munger, in Kasim Bazar P.S. Case No. 35 of 2023.

(Khatim Reza, J)

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