

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67369 of 2022

Arising Out of PS. Case No.-208 Year-2022 Thana- RAJGIR District- Nalanda

Sunil Rajbanshi, Son of Sita Ram Rajbanshi, R/V- Thakur Asthan, P.S- Rajgir,
Dist- Nalanda

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Ram Prawesh Kumar, Advocate

For the Opposite Party : Mr. Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 24-02-2023 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor for the

State.

The petitioner seeks bail in connection with Rajgir
P.S. Case No.208 of 2022 registered for the offence punishable
under Sections 25(1-B)a & 26 of the Arms Act.

The petitioner/accused is named in the first
information report and is in custody since 23.04.2022.

The allegation against the petitioner is to have in
possession of one country-made loaded pistol along with one
live cartridge.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in the present case as
no such firearms, as alleged, was recovered from conscious
physical possession of the petitioner. It is submitted that seizure
list of seized firearm is appearing doubtful, being not supported



by any independent witness rather by police personnel. While concluding the argument, it is submitted that petitioner also found involved in nine more cases, where he is on bail and moreover, investigation of this case has been completed, for which the charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence.

Learned APP for the State opposes the prayer for grant of bail to the petitioner.

In view of the above-mentioned facts and circumstances and by taking note of the fact as seizure list is appearing doubtful on its face, being not supported by independent witnesses, coupled with the fact that charge-sheet has already been submitted, let above-named petitioner is directed to be released on bail 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, Nalanda at Bihar Sharif in connection with Rajgir P. S. Case No.208 of 2022, subject to the conditions as mentioned under Section 437(3) of the Code of Criminal Procedure.

(Chandra Shekhar Jha, J.)

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