

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69324 of 2022

Arising Out of PS. Case No.-109 Year-2022 Thana- ROSHANGANJ District- Gaya

Vikash Chaudhari S/O Samundar Chaudhari @ Samundra Chaudhari R/V-
Lemboiya, P.S.- Roshanganj, District- Gaya (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Jain

For the Opposite Party/s : Mr.Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-03-2023 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 connection with Roshanganj P.S. Case No. 109 of 2022 registered under sections 25(1-B) A, 26 and 35 of the Arms Act.

Prosecution case relates to recovery of two illicit country made pistol along with some cartridges from the possession of other co-accused persons.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It is further submitted that the name of the petitioner came in the F.I.R. on the basis of confessional statement of other co-accused person, namely,



Chotu Chaudhari before the police who apprehended on spot. There is no recovery of any arms or any incriminating article from the possession of the petitioner rather the same has been made from other co-accused person which is evident from the seizure list. He has no concern with the alleged recovery. There is no independent witness as well as no cogent evidence came against the petitioner. He is languishing in judicial custody since 23.05.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Roshanganj P.S. Case No. 109 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 J.M. 1st Class, Sherghati (Gaya).

(Sunil Kumar Panwar, J)

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