

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1811 of 2023

Arising Out of PS. Case No.-428 Year-2022 Thana- PARSABAZAR District- Patna

Lucky Chaudhary @ Sanjeet Kumar, Son of Lal Babu Chaudhary, Resident of
Village - Bharatpur Simli, P.S.- Malsalami, District - Patna (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar, Advocate

For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 26-04-2023 Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Heard Mr. Rakesh Kumar, learned counsel appearing
on behalf of the petitioner and the learned APP for the State.

The petitioner seeks regular bail, who is in custody in
connection with Parsa Bazar P.S. Case No. 428 of 2022
registered for the offence punishable under Sections 25(1-b)a/
26/ 35 of the Arms Act.

The police in course of patrolling apprehended the
petitioner and others. In course of search, one live cartridge has
been recovered from the possession of the petitioner.

Learned counsel appearing on behalf of the petitioner
submits that in fact nothing has been recovered from the
possession of the petitioner, however, on account of some



altercation between the petitioner and police personnel, his name has been implicated and recovery of one live cartridge has been shown. He next submits that the petitioner is a student, having fair antecedent, is in custody since 30.08.2022 and now the charge-sheet has been submitted.

On the other hand, learned APP for the State vehemently opposes the bail application.

Considering the nature of recovery and the period of custody, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs. 5,000/- (Rupees five thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate – VIII, Patna in connection with Parsa Bazar P.S. Case No. 428 of 2022, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates



without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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