

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81058 of 2023**

Arising Out of PS. Case No.-226 Year-2023 Thana- ITARHI District- Buxar

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Chandashekhar Singh @ Chandrashekhar Singh S/O Chandrama Singh R/O
Village- Kukurha, Ps. Itarhi, Distt.- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Dr. Kamal Deo Sharma, Advocate
For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 22-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Itarhi
P.S. case No. 226 of 2023 instituted for the offences under
Sections 25(1-b)a, 26 of the Arms Act.

3. Prosecution allegation, in short, is that, on the secret
information that this petitioner is wandering with arms, police
party reached the spot. On search, two barrel gun, one country-
made *katta* and three live cartridges were recovered from the
house of the Chandrama Singh (father of the petitioner).

4. It has been submitted on behalf of the petitioner that



the petitioner is in custody since 29.09.2023 and has one criminal antecedent but he is on bail in this case. The petitioner has falsely been implicated in the present case. Nothing has been recovered from the conscious possession of the petitioner, rather the recovery has been made from the joint house of Chandrama Singh, who is the father of this petitioner. There is non-compliance of Section 100 of the Cr.P.C. He further submitted that the petitioner has no concern with the alleged recovery.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Itarhi P.S. case No. 226 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date



fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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