

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30581 of 2024

Arising Out of PS. Case No.-146 Year-2023 Thana- PIPRAHI District- Sheohar

Chitranjan Sah Son of Bhoji Sah Resident of Village- Chamanpur, PS-
Sheohar, Dist- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh, Adv.

Smt. Divya Bharti, Adv.

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur

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

ORAL ORDER

2 23-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Piprahi
P.S. Case No. 146 of 2023 instituted for the offences under
Sections 25(1-B)a, 26 of the Arms Act.

3. As per prosecution case, the police, on receipt of
secret informant, reached at the place of occurrence. On seeing
the police party, one person tried to flee away from there but,
was apprehended and disclosed his name as Chitranjan Sah/the
petitioner. On search, one country made pistol containing two
live cartridges in its magazine were recovered from his
possession. It is alleged that the petitioner Chitranjan Sah is an
absconder of Piprahi P.S. Case No. 141 of 2023 which was



lodged in connection with Bank robbery.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the Piprahi P.S. Case No. 141 of 2023 which was registered against the unknown miscreants in connection with a Bank robbery. During course of investigation, nothing has come against the present petitioner. There is no compliance of Section 100 of the Cr.P.C. He has further submitted that the petitioner was arrested by the police on 30.06.2023 in the present case but, he was remanded by the police in this case on 21.09.2023 i.e. after lapse of 83 days of his arrested which itself falsifies the prosecution case. The petitioner has three criminal antecedents. Charge-sheet has been submitted in this case.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner,



let the petitioner, abovenamed, 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 Piprahi P.S. Case No. 146 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.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

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