

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35818 of 2024

Arising Out of PS. Case No.-7 Year-2024 Thana- TARIYANI CHOWK District- Sheohar

Chandan Kumar S/O Sunil Ray R/O Village- Rajadih, P.S- Tariyani, Distt.- Sheohar.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhay Shanker Singh
For the Opposite Party/s : Mr.Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 09-05-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Tariyani Chowk P.S. Case No. 7 of 2024 instituted for the offences punishable under Sections 324, 307, 120B of the IPC and Sections 25(1-AA), 25(1-B)(a), 26, 35 and 27 of the Arms Act.

3. As per prosecution case, there has been recovery of one country-made pistol and one live cartridge from the house of the petitioner.

4. Learned counsel for the petitioners submitted that the petitioner has falsely been implicated in the present case.



Charge-sheet has been submitted in this case. The petitioner has no concern with the alleged arms and cartridges, which were seized by the police. Only on the basis of suspicion, petitioner has been implicated in the present case by the police. The provision of Section 100 of the Cr.P.C. has not been followed in this case while preparing the seizure list. The petitioner is in custody since 09.01.2024 and has no criminal antecedent.

5. Learned APP 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, petitioner having no criminal antecedent as well as the period of custody undergone by him, 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 Tariyani Chowk P.S. Case No. 7 of 2024, Subject to 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)

Arish/-

U		T	
---	--	---	--

