

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.36297 of 2024**

Arising Out of PS. Case No.-101 Year-2024 Thana- NATHNAGAR District- Bhagalpur

Manikant Choudhary @ Mannu Choudhary Son of Uma Kant Choudhary  
Resident of Village - Kanghiya, P.S.- Nath Nagar, (Madhusudanpur), District -  
Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Manohar Prasad Singh, Advocate

For the Opposite Party/s : Mr. Prem Kumar Jha, APP

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

ORAL ORDER

3      03-07-2024      Heard learned counsel for the petitioner and learned APP  
for the State.

2.      The petitioner seeks bail in connection with  
Nathnagar P.S. Case No. 101 of 2024 instituted for the offence  
under Sections 25(1)a, 25(1-B)a, 26 & 35 of the Arms Act.

3.      Prosecution story as emanated from the FIR is that  
there is recovery of loaded country made pistol, three live  
cartridges, two empty magazines, one country made pistol, one  
pistol, small box containing 15 live cartridges, a double barrel  
gun, a single barrel gun, etc. from the possession of the  
petitioner.

4.      It has been submitted on behalf of the petitioner  
that the petitioner is in custody since 16-02-2024. Petitioner is a



man of clean antecedent.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. It is submitted that petitioner is ex-army personnel. It is submitted that petitioner is the licensee owner of the most of the arms recovered, which fact is apparent from perusal of Annexure-P/2 of the bail application. It is submitted that police after investigation has submitted charge sheet under Section 25(1)a, 25(1-B)a, 26 & 35 of the Arms Act. It is next submitted that co-accused has been granted bail by this Court vide order dated 20-06-2024, passed in Cr. Misc. No. 42299 of 2024.

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

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. 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 Nathnagar P.S. Case No. 101 of 2024, 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)**

Raj Kishore/-

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