

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42956 of 2024

Arising Out of PS. Case No.-381 Year-2022 Thana- MAHUA District- Vaishali

Chandan Kumar Sah @Chandan Kumar@Chandan Sonar S/O Naresh Sah
R/O Village-Gathu, Ward no. 12, P.S. Ghathu(OP), Distt-Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Abhay Kumar
For the Opposite Party/s	:	Mr.Jharkhandi Upadhyay

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 20-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 25(1-b)a, 26, 35 of Arms Act.

3. It is a case of recovery of one country made pistol and two live cartridges from the possession of the co-accused Rahul Kumar. At his instance, police came to know that other accused persons were making a plan to commit loot. Police party proceeded towards place of occurrence and arrested miscreants and arms and ammunition were recovered from their possession. Upon interrogation by the miscreants, they disclosed the name of the petitioner as one of their associates, who managed to escape.

4. It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the



present case due to high handedness of police. The petitioner has no concern either with the alleged recovery or with other co-accused persons. Case of the petitioner stands on better footings to that of the co-accused person, who was arrested on spot, has already been enlarged on bail by this Court vide order dated 26.04.2023 passed in Cr. Misc. No. 14350 of 2023. It is also submitted that petitioner is languishing in judicial custody since 17.10.2022.

5. Learned APP appearing for the State has vehemently opposed the prayer for Bail.

6. Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail **after framing of charge**, if not framed. The above named petitioner is directed to be enlarged on bail in connection with Mahua P.S. Case No. 381 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Vaishali, Hajipur.

(Sunil Kumar Panwar, J)

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