

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41179 of 2024

Arising Out of PS. Case No.-185 Year-2024 Thana- SASARAM MUFFSIL District- Rohtas

Govind Sonkar Son of Late Bharat Sonkar R/O Vill.- Yusuf Chak Takiya,
P.S.- Sasaram, Dist.- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashutosh Tripathy, Advocate

For the Opposite Party/s : Ms. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 13-06-2024 Heard learned counsel appearing on behalf of

the petitioner and learned APP appearing on behalf of

the State.

2. The petitioner seeks bail in connection with

Sasaram (M) P.S. Case No. 185 of 2024 registered for

the offences under Sections 25(1-b)a, 26 and 35 of the

Arms Act.

3. The petitioner is named in the F.I.R. and is

in custody since 18.04.2024.

4. The allegation against the petitioner is to

have in possession of one country-made pistol alongwith

one live cartridge.



5. Learned counsel appearing on behalf of the petitioner submitted that petitioner has been falsely implicated with the present case on the instance of seizure list witnesses, who are in inimical terms with petitioner as on earlier occasion they also lodged a case against petitioner, which was registered as Sasaram (M) P.S. Case No. 186 of 2024. It is further submitted that copy of seizure list is not showing the signature of petitioner, which simply suggests on its face that alleged recovery was not made from the conscious physical possession of this petitioner. It is also submitted that arrest during the course of occurrence as alleged through FIR, was made by private persons, who are seizure list witnesses and are in inimical terms with the petitioner, who later on handed over the petitioner to the police.

6. Learned APP appearing on behalf of the State, opposes the prayer for bail.

7. In view of the facts and circumstances as



mentioned above and by taking note of the fact, as arrest appears to be made, *prima facie*, by private persons, where seizure list witnesses are in inimical terms with the petitioner, coupled with the fact as petitioner is in custody since 18.04.2024, accordingly, petitioner above named, is directed to be released on bail in connection with Sasaram (M) P.S. Case No. 185 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Rohtas/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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