

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42287 of 2024

Arising Out of PS. Case No.-82 Year-2024 Thana- BARBIGHA District- Sheikhpura

Anil Chauhan Son of Late Karamchand Chauhan Resident of Village - Isua,
P.S.- Sarmera, District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Adv with Ms. Vaishnavi Singh and Mr. Ritwik Thakur, Advocates
For the Opposite Party/s	:	Mr. Rajendra Singh Shastri, APP

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

ORAL ORDER

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

2. The petitioner seeks bail in connection with
Barbigha P.S. Case No. 82 of 2024 instituted for the offences
punishable under Sections 25(1-B)a, 26 and 35 of the Arms Act.

3. As per prosecution case, there has been recovery of
four loaded country-made pistol from the bag 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 recovery. No incriminating article
has been recovered from the conscious possession of the



petitioner. 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 04.03.2024 and he has one criminal antecedent in which he has been acquitted vide judgment dated 16.04.2016.

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 as well as the period of custody undergone by the petitioner, 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 Barbigha P.S. Case No. 82 of 2024.

(Rudra Prakash Mishra, J)

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