

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58767 of 2024

Arising Out of PS. Case No.-54 Year-2024 Thana- KARPI District- Jehanabad

Nand Chaudhary @ Rajeev Chaudhary, aged about 45 years (M), Son of Mohan Chaudhary, R/V- Village- Chhoti Mirza (Miaapur), P.S.- Kasim Bazar, Distt.- Munger.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Paras Nath, Advocate
For the Opposite Party : Mr. Dinesh Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 31-08-2024 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Karpi (Shahar Telpa O.P.) P.S. Case No. 54 of 2024 dated 23.02.2024 registered for the offences punishable under Sections 25(1-A), 25(1-AA), 25(1-B)a, 26 and 35 of the Arms Act.

3. As per the prosecution case, on 23.02.2024, the informant alongwith other police officials raided the house of the co-accused Raushan Kumar @ Laddu and recovered several filers (Reti), semi-constructed and constructed arms and also arrested several persons Raushan Kumar @ Laddu, Mukesh Patel @ Nagendra Kumar Singh, Arti Kumari, Turshi Devi, Ashish Kumar, Nand Chaudhary (petitioner), Vishal Kumar,



Rahul Kumar, Sunil Kumar, Dashrath Sah, Praveen Kumar, Pankaj Kumar, Sanjay Kumar Sah and Sunil Kumar who were engaged in manufacturing of arms and were brought from Munger. Thereafter, the houses of the co-accused Raushan Kumar @ Laddu and Mukesh Patel @ Nagendra Kumar Singh were also raided and recovered six pieces of country made pistols, 16 pieces of iron magazines, seven live cartridges and one empty cartridge, 16 pieces of semi-constructed pistols and other articles which were used in manufacturing of arms. The said co-accused Raushan Kumar @ Laddu and Mukesh Patel @ Nagendra Kumar Singh have disclosed that the manufacturing work is being done near poultry farm in a tiled roof house and on their disclosure, several machines and other articles were recovered from the poultry farm.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that no incriminating article has been recovered from the possession of the petitioner. The petitioner has falsely been implicated in the present case merely on the basis of suspicion as he was sleeping in the poultry farm of the co-accused Raushan Kumar @ Laddu. The charge sheet has already been submitted in the present case. The other co-



accused person Sumit Kumar has already been granted bail by a Bench of this Court vide Cr. Misc. No. 42104 of 2024 under order dated 24.06.2024. The petitioner has four criminal antecedents and in three cases he is on bail and in one case he has been acquitted from charge as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 24.02.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Arwal in connection with Karpi (Shahar Telpa O.P.) P.S. Case No. 54 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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