

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68317 of 2024

Arising Out of PS. Case No.-193 Year-2023 Thana- NIMCHAKBATHANI District- Gaya

Raghu Chauhan son of Late Sukar Chauhan Village- Ganpat Nagar Ps-
Nimchak Bathani Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabindra Prasad Singh

For the Opposite Party/s : Mr. Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 06-12-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Neemchak Bathani P.S. Case No. 193 of 2023 dated 25.10.2023 registered for the offences punishable u/ss 25(1-b)a, 26, 35 of the Arms Act.

3. As per the F.I.R., the allegation against the petitioner is that police has recovered illegal arms from straw near the house of the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. No incriminating article has been recovered from conscious possession of the petitioner and has no concern with the alleged recovery. The petitioner has four other criminal



cases against him as stated in para 3 of the bail petition. The petitioner is in custody since 02.11.2023.

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 as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending/successor Court in connection with Neemchak Bathani P.S. Case No. 193 of 2023, with the condition/s:-

(i) One of the bailors will be own close relatives of the petitioner who will give an affidavit genealogy as to how he is relative to petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

(iii) The petitioner shall remain physically present



in the court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(iv) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(v) The petitioner shall appear before the Police Station of his local area in the first week of each month till the disposal of the present case.

(Anjani Kumar Sharan, J)

annpurna/-

U		T	
---	--	---	--

