

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2347 of 2024

Arising Out of PS. Case No.-478 Year-2023 Thana- ROSERA District- Samastipur

Purshottam Chaudhary @ Purushttam Chaudhary @ Purushotam Chaudhary
Son Of Umesh Chaudhary @ Umesh Prasad Choudhary Resident Of Village -
Rahiyar Konchi (Rahiyar Kochi), Ward No.3, Hathauri (Shiwaji Nagar O.P.),
District - Samastipur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam

For the Opposite Party/s : Mr.Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 30-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 25(1-b)A,
26 of Arms Act.

3. The case of prosecution is that the petitioner was
apprehended on spot by the police party from whose possession,
one country made pistol along with a live cartridge was
recovered.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case. The petitioner has no
concerned with the alleged arms seized by the police. It is



further submitted that the seizure list witness are police officials, not a single independent witness which violates section 100 of Cr.P.C. Moreover, the petitioner is languishing in judicial custody since 17.8.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody period, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail **after framing of charge, if not framed** in connection with Rosera P.S. Case No. 478 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate-I, Rosera in the District of Samastipur.

(Sunil Kumar Panwar, J)

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