

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44146 of 2022

Arising Out of PS. Case No.-102 Year-2022 Thana- MUSRIGHRARI District- Samastipur

Guddu Kumar Son of Gena Ray Resident of Vill. And Post- Suapakar, Ward
No.-1, P.S.- Musarigharari, Dist.- Samastipur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 24-11-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

At the outset, learned counsel for the petitioner
submitted that at page no.-7 of the bail petition, in the prayer
portion, inadvertently, custody period has been wrongly typed as
'09.03.2022' instead of '09.06.2022'.

Accordingly, learned counsel for the petitioner is
permitted to make necessary correction during the course of the
day itself.

The petitioner seeks bail in connection with
Musarigharari P.S. Case No. 102 of 2022 registered for the
offence under Sections 25(1-B) (a) and 26 of the Arms Act



The accused/petitioner is named in the F.I.R. and is in custody since 09.06.2022.

The allegation against the petitioner is to be have in possession of one country made pistol, alongwith one live cartridge.

Learned counsel appearing on behalf of the petitioner submitted that the alleged recovery of fire arms was not made from the conscious physical possession of this petitioner, where due to previous enmities with police personnels of Musarigharari police station, the petitioner has been falsely implicated in present case. It is submitted that prior to this occurrence, antecedent of petitioner was clean but name of petitioner involved in two subsequent cases without any basis. While concluding the argument, it has been submitted that investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

Considering the facts and circumstances as mentioned above and by taking note of accusation, where petitioner is in custody since 09.06.2022 coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is



directed to be released on bail in connection with Musarigharari P.S. Case No. 102 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Samastipur, Bihar/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

pooja/-

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

