

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1108 of 2022

Arising Out of PS. Case No.-81 Year-2021 Thana- PANDARAK District- Patna

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MUKESH KUMAR Son of Rampravesh Yadav Resident of Village - Gulab Bag (Near Gas Godown), Police Station - Barh, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Kumari Sujata Sinha, Advocate

For the Opposite Party/s : Mr.Navin Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-04-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The present case has been taken out of turn based on the mentioning made by the learned counsel for the petitioner that sister of the petitioner, namely, Kumari Poonam is getting married to Vikash Kumar on 12.05.2022.

The petitioner seeks bail in a case registered for the offences punishable under Sections 25(1-b)a, 26 and 35 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner is in custody since 31.07.2021, is a person with clean antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioner submits that allegation is of recovery of two live cartridges from the



petitioner.

Learned counsel for the petitioner submits that cartridge without gun is useless which amply demonstrate that the petitioner has been falsely implicated by the police for reasons best known to them.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody since 31.07.2021, is a person with clean antecedent and charge-sheet has been submitted in the case, let the petitioner above named be **released on provisional bail** on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Pandarak P.S. Case No. 81 of 2021.

The learned court below shall seek a report from the S.D.P.O., Barh as to whether the sister of the petitioner is getting married or not on 12.05.2022 and in the event, if the report records that the Court was misled for the purposes of bail, the learned court below shall forthwith cancel the provisional bail bonds of the petitioner and take all coercive steps to ensure that the petitioner is put behind the bars and in the event, if the



report records that the sister of the petitioner is getting married,
then the learned court below shall forthwith confirm the
provisional bail bonds granted to the petitioner.

(Satyavrat Verma, J)

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