

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29459 of 2023

Arising Out of PS. Case No.-19 Year-2023 Thana- KARJAIN District- Supaul

Manish Kumar, Son of Bachneshwar Kumar @ Bachneshwar Kumar Yadav,
Resident of Village - Gangapatti (Ward No.- 13) Katbansi Panchyat - Baruari,
P.S.- Supaul, District - Supaul

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Arun Kumar Jha, Advocate

For the Opposite Party/s : Ms. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 28-06-2023 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The accused/petitioner seeks bail in connection
with Karjain P.S. Case No.19 of 2023 registered for the offences
punishable under Sections 25(1-b)a, 26 and 35 of the Arms Act.

The accused/petitioner named in the FIR and is in
custody since 18.01.2023.

Allegation against petitioner is to have in
possession of one country-made pistol along with eight live
cartridges.

It is submitted by learned counsel that the alleged
recovery not appears to be made from conscious physical
possession of the petitioner and the alleged firearms shown
appears to be planted out of his criminal antecedents. It is



submitted that petitioner found involved in two more criminal cases, where after trial, he was acquitted and, as such, it can safely be said that petitioner is a man of clean antecedent. While concluding argument, it is submitted that investigation of this case is completed for which charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer for bail of the petitioner.

In view of the above-mentioned facts and circumstances and by taking note of nature of accusation, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 18.01.2023, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Birpur, Supaul in connection with Karjain P.S. Case No.19 of 2023, subject to the conditions as laid down under Section 437(3) of the CrPC.

(Chandra Shekhar Jha, J.)

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