

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38099 of 2023

Arising Out of PS. Case No.-105 Year-2023 Thana- KAKO District- Jehanabad

PRAMOD TIWARY S/O LATE NAGESHWAR PRASAD R/O Village-
Tiwari Bigha, PS. Kako, Dist. Jehanabad

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rama Kant Singh, Advocate

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 07-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Jehanabad (Kako O.P.) P.S. Case No. 105 of 2023 dated
24.03.2023, instituted for the offence punishable under Sections
25(1-b)a, 26 and 27 of the Arms Act.

3. The prosecution case in brief, is that on 24.03.2023
at about 12.30 pm, informant received information about
exchange of firing due to land dispute. On reaching the place of
occurrence, police found two empty cartridges and apprehended
the petitioner while trying to escape. It is further alleged that on
inquiry, the petitioner disclosed the location of hidden weapons.
On search, a plastic bag was found in which two country made
pistol and six live cartridges were recovered.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and he is falsely implicated in this case. It is further submitted that nothing has been recovered from the possession of the petitioner which shows that petitioner has got no concern with the alleged occurrence. Learned counsel further submitted that allegation against the petitioner is general and omnibus in nature. He further submitted that the arms have been seized from the Bansbari and not from the house or from the physical possession of the petitioner. Lastly, it has been submitted that the petitioner is in custody since 25.03.2023 having no criminal antecedents and charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court of C.J.M., Jehanabad in Jehanabad (Kako O.P.) P.S. Case No. 105 of 2023.

(Khatim Reza, J)

Sankalp/-

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