

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55506 of 2022

Arising Out of PS. Case No.-251 Year-2022 Thana- KUDHNI District- Muzaffarpur

Kunal Kumar Son of Dharmendra Sahni Resident of Village- Bachhuman,
P.S.- Khdhani, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Adv

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 11-01-2023 Heard learned counsel for the petitioner and learned APP for
the State.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in connection with Kudhani P.S. Case No. 251 of 2022 registered under Sections 25(1-B)a, 26 and 35 of the Arms Act.

One country-made pistol along with one live cartridge has allegedly been recovered from the petitioner during routine vehicle checking. The petitioner is stated to be in custody since 19.05.2022.

Learned counsel for the petitioner submits that it is a case of false implication. The recovery is denied and disputed. It is submitted that mandatory prescribed procedure has also not been followed.



Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, this Court is inclined to allow the petitioner's prayer for bail.

Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of ACJM-I, Muzaffarpur in Kudhani P.S. Case No. 251 of 2022, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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