

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61448 of 2023

Arising Out of PS. Case No.-316 Year-2023 Thana- BEGUSARAI MUFFASIL District-
Begusarai

SHIVAM KUMAR SON OF RAJEEV SINGH @ RAJIV SINGH @
RAJEEB SINGH @ SUKHO SINGH RESIDENT OF VILLAGE- INIYAR,
WARD NO. 11, PS- MUFFASIL (LAKHO OP), DISTT- BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam

For the Opposite Party/s : Mr.Upendra Kumar

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 12-09-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner has preferred this application for
grant of regular bail in connection with Muffasil P.S. Case No.
316 of 2023 dated 02.06.2023 registered for the offences
punishable u/ss 25(1-b)a, 26, 35 of the Arms Act.

3. As per the prosecution case, police got secret
information that the co-accused Monu singh along with other
accused persons was planning to kidnap a businessman. Police
raided the house of the co-accused Monu Singh and
apprehended him. The co-accused Monu Singh confessed his
guilt and disclosed the involvement of Shivam Kumar and



Piyush Kumar. On this information, police raided the house of the co-accused Shivam Kumar and apprehended him. On being asked, Shivam Kumar disclosed that the co-accused Monu Kumar had provided two loaded country made pistols and two live cartridges to him and Piyush Kumar and they concealed it under the tree of the orchard of Gandhi Sah Mukhiya near dera. Thereafter, police recovered two country made pistol and four live cartridges kept in plastic bag. Police also recovered Samsung Mobile phone from the possession of the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. No incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has been made accused in this case on the basis of disclosure made by the co-accused Monu Singh. The petitioner is accused in one more criminal case in which he is on bail as stated in para 3 of the bail petition. The petitioner is in custody since 03.06.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond



of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Begusarai in connection with Muffasil P.S. Case No. 316 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Alok Verma/-

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