

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62318 of 2022

Arising Out of PS. Case No.-88 Year-2022 Thana- GWALPARA District- Madhepura

Vishal Kumar S/o Late Bharat Yadav R/o Village- Sukhasan, P.S.- Gwalpara
(Arar O.P.), Distt- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 17-02-2023 Let the defects, if any, pointed out by the office be removed within three weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner seeks regular bail in connection with S.T. No. 224/2022 arising out of Gwalpara (Arar O.P.) P.S. Case No. 88 of 2022 registered for the offences punishable under Section 412 of the Indian Penal Code and Sections 25(1-b)a, 26 and 35 of Arms Act.

As per the prosecution, the informant along with other police personnel acting upon a secret information raided the house of this petitioner and upon conducting search of the

petitioner's house, one mobile phone and one motorcycle were recovered. It is further alleged that, from the possession of this petitioner one loaded country-made pistol and three cartridges were recovered.

The main submissions advanced by learned counsel Mr. Shailendra Kumar Singh appearing for the petitioner are that as per the prosecution one country-made pistol and three cartridges were alleged to have been recovered from the possession of this petitioner and against him there are criminal antecedents of two cases but out of the said cases one Gwalpara (Arar O.P.) P.S. Case No. 87/2022 was lodged in connection with the same occurrence of the present matter and the petitioner has got bail in one case and in the present matter he has been languishing in jail for last ten months and against him the investigation has been completed and the Investigating Officer did not record the statement of any independent person regarding the alleged recovery of fire-arms. Further submission is that the petitioner is a very young person and his age is about 22 years and his sister's marriage is to be solemnized on 22.02.2023.

Learned APP Mr. Ajit Kumar appearing for the State has opposed the bail prayer.

In view of the facts, as stated above and mainly considering the petitioner's young age and his custody period, in the opinion of this Court the petitioner deserves to a lenient approach of this Court. Accordingly, let the petitioner named- above be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with S.T. No. 224/2022 arising out of Gwalpara (Arar O.P.) P.S. Case No. 88 of 2022.

(Shailendra Singh, J)

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