

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 61256 of 2022**

Arising Out of PS. Case No.-432 Year-2022 Thana- BARH District- Patna

PRINCE KUMAR SON OF CHANDAN KUMAR GUPTA @ LATE
CHANDAN KUMAR GUPTA R/O NEAR JAGARNATHAN SCHOOL, P.S-
BARH, DISTRICT- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Ayush Kumar, Advocate

For the Opposite Party/s : Ms Meena Singh, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 30-01-2023

Heard learned counsel for the petitioner and learned Additional Public Prosecutor (for brevity, **APP**) appearing for the State of Bihar.

The petitioner seeks bail in Barh Police Station (for brevity, **PS**) Case No 432 of 2022 registered for the offence punishable under Sections 25 (1-b)a/26 of Arms Act.

There is alleged recovery of a country made pistol and three live cartridges from the petitioner from a place where orchestra was being performed.

Learned counsel for the petitioner submits that having no antecedent, the petitioner has been falsely implicated in this case by virtue of his presence at the place. In fact, he has become victim of the circumstance. The recovery was not from his conscious possession and wrongly has been shown as such in the seizure memo Petitioner is in custody since 09.07.2022.

Learned APP has opposed the prayer for bail.

Having considered the rival submissions, manner of implication, period of custody as well as the fact that investigation is



complete, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate I, Barh in Barh PS Case No 432 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)

M.E.H./-

U		T	
---	--	---	--

