

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67606 of 2022**

Arising Out of PS. Case No.-110 Year-2022 Thana- MIRGANJ District- Gopalganj

Prakash Kumar Pandey, S/O Jitendra Pandey, R/o Sahebachak, P.S.- Mirganj,
District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Bhan Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 21-04-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Mirganj P.S. Case No. 110 of 2022 dated 04.04.2022 registered
for the offences punishable under Section 414/34 of the Indian
Penal Code and Sections 25(1-b)a, 26(i), 35 of the Arms Act.

3. The main submissions advanced by the learned
counsel for the petitioner are that the instant matter relates to the
recovery of a pistol with five live cartridges from the possession
of the petitioner and for the said wrong petitioner has been
languishing in jail since 05.04.2022 and he has completed about
one year in jail and his trial has started but till now no
prosecution witness has been examined in his trial, though



against the petitioner there are criminal antecedents of seven cases, out of which he has got bail in three cases and most of the witnesses who are to be examined in the petitioner's trial are official persons. Further submission is that the petitioner is a young person.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Considering the above submissions and mainly petitioner's custody period and his young age and the stage of his case and also the fact that petitioner's trial has started as per report of trial court and till now no prosecution witness has been examined, in the opinion of this court, the petitioner deserves to a lenient approach of this court. Accordingly, let the petitioner be released on bail in connection with Mirganj P.S. Case No. 110 of 2022 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, further on this condition that both the bailors will be close relative of the petitioner having no criminal antecedent as well as having sufficient immovable property in their names and if the petitioner misuse the present privilege of bail then the learned court below will take serious action against the bailors as per provisions of Code



of Criminal Procedure.

(Shailendra Singh, J)

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