

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9206 of 2024

Arising Out of PS. Case No.-96 Year-2023 Thana- PANDARAK District- Patna

Gautam Kumar Singh @ Disco, Son of Late Amerika Singh, Village -Bihari
Bigha (Karmaur) P.S. -Pandarak, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tej Singh, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Pandarak P.S. Case No.
96 of 2023, instituted for the offences punishable under Sections
25 (-b) and 26 of the Arms Act.

3. The prosecution case, in short, is that, one country
made pistol and 10 live cartridges have been recovered from the
possession of the petitioner. No valid documents has been
produced by the petitioner for the said recovered items.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has falsely been implicated in the
present case. According to the F.I.R and seizure list, no any
independent witness has supported the case. Learned counsel for



the petitioner further submits that the petitioner has 9 criminal antecedents as has been stated in paragraph no. 3 of the present bail application. The petitioner is languishing in judicial custody since 15.05.2023. Charge-sheet has already been submitted in the present case.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail, ***after framing of charge if not already framed***, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Pandarak P.S. Case No. 96 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the



bail bonds of the petitioner.

(III) If the petitioner is found involved in similar nature of offence in future, the Trial Court will have the liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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