

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8670 of 2024

Arising Out of PS. Case No.-514 Year-2023 Thana- BAKHTIYARPUR District- Patna

Dhananjay Kumar @Dhananjay Paswan Son Of Sunil Paswan Resident Of
Village- Hakkitpur, PS- Bakhtiyarpur, Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Bihari Singh, Advocate
For the Opposite Party/s : Mr. Parmanand Kumar, APP

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

ORAL ORDER

4 02-08-2024 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in Bakhtiyarpur P.S. Case No. 514 of 2023, instituted for the offences punishable under Sections 25(1-b)a, 26, 35 of the Arms Act and Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, there is recovery of one loaded country made pistol along with one live cartridge and 30 liters of liquor from the house of the petitioner. The petitioner was apprehended on spot.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner



also submitted that the alleged recovery has been made from the joint house of the petitioner where other family members also reside. The petitioner is in custody since 26.11.2023 and has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted bail by this Court vide order dated 19.02.2024 passed in Cr. Misc. No. 9417 of 2024.

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 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 Bakhtiyarpur P.S. Case No. 514 of 2023.

(Rudra Prakash Mishra, J)

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