

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12401 of 2024

Arising Out of PS. Case No.-345 Year-2023 Thana- GOH District- Aurangabad

Raushan Kumar Son of Ashok Das Resident of village- Pema, P.S.- Goh,
Dist.- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Santosh Kumar Pandey, Advocate
For the State	:	Mr. Tapeswar Sharma, APP

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

ORAL ORDER

2 28-02-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Goh
P.S. Case No. 345 of 2023 instituted for the offence under
Sections 25(1-B)a, 26 & 35 of the Arms Act.

3. Prosecution case in short is that there is recovery of
one country made pistol from the possession of co-accused. It is
further alleged that from the possession of the petitioner, there is
recovery of Rs. 7,000/- and motorcycle.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 09-11-2023. Petitioner
bears one criminal antecedent, as per disclosure made in
paragraph No. 3 of the bail application.



5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. There is no recovery of arms from the possession of the petitioner. So far as recovery of mobile phone and motorcycle made from the possession of the petitioner is concerned, it belongs to the petitioner. There is no compliance of Section 100 of the Cr.P.C.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and manner of implication, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Goh P.S. Case No. 345 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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