

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11038 of 2024

Arising Out of PS. Case No.-94 Year-2022 Thana- WAJIRGANJ District- Gaya

Vijendra Kumar S/o Late Rajendra Sao @ Late Rajendra Prasad R/o Village-
Neyamatpur, P.S.- Mahkar, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukul Kumari, Advocate

For the Opposite Party/s : Mr.Atul Chandra, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 22-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
G.R. No. 35/2022 arising out of Wazirganj P.S. Case No.
94/2022, lodged on 28.02.2022 under Sections 25(1-N)a, 26, 35
of the Arms Act.

3. As per the prosecution case, the FIR has been
lodged against two named accused persons, including the
present petitioner from whose possession one country made
pistol along with a live cartridge has been recovered.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The
petitioner is in custody since 28.02.2022 and is accused in two
more criminal cases, in which he is on bail. The chargesheet has



already been submitted.

5. Learned counsel for the State opposes the prayer for bail and submits that in the ordersheet, the date of arrest of the petitioner has been shown as 02.03.2023.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned ACJM 1st Gaya, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure.

7. The trial court shall verify from the record that whether the petitioner is in custody since 28.02.2022 or 02.03.2023. If it is found that the petitioner is in custody since 28.02.2022, then he shall be released immediately, otherwise, the petitioner shall be released only after framing of charge, if not framed.

(Dr. Anshuman, J)

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