

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12259 of 2024

Arising Out of PS. Case No.-114 Year-2023 Thana- BEGUSARAI TOWN District- Begusarai

Kundan Kumar @ Nepali Son Of Late Awadhesh Mahto @ Late Awadhesh
Rai @ Abdhesh Mahto @ Abdhesh Ray Resident Of Village- Bagha, Ward
No. 29, Ps- Town, Distt- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr. Anish Chandra, 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 Town
P.S. case No. 114 of 2023 instituted for the offences under
Sections 414 of the Indian Penal Code and 25(1-b)a, 26, 35 of
the Arms Act .

3. Prosecution case, in short, is that on secret
information, police raided the house of this petitioner and
recovered one country-made pistol, eleven live cartridges, one
Samsung Tab etc. from his house.

4. Learned counsel for the petitioner submitted that the



petitioner has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner rather the recovery has been made from the joint house of the petitioner where other family members also reside. It has been submitted on behalf of the petitioner that the petitioner is in custody since 17.02.2023 and has twelve criminal antecedents.

5. Learned A.P.P. 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 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Town P.S. case No. 114 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.

(Rudra Prakash Mishra, J)

Alok Verma/-

U		T	
---	--	---	--

