

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.12874 of 2024**

Arising Out of PS. Case No.-290 Year-2023 Thana- GOGRI District- Khagaria

Santosh Kumar Son of Vinodi Yadav Resident of village - Siswa, P.S.- Gogri,  
District - Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Jai Kishor Poddar, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

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

ORAL ORDER

2      01-03-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with Gogri  
P.S. case No. 290 of 2023 instituted for the offences under  
Sections 25(1-b)a, 26(i), 35 of the Arms Act.

3. Prosecution case, in short, is that police, on the  
basis of secret information intercepted the motorcycle. On  
search, four live cartridges and one mobile phone was recovered  
from this petitioner.

4. Learned counsel for the petitioner submitted that the  
petitioner is innocent and has falsely been implicated in the  
present case only on the basis of suspicion. Learned counsel  
further submitted that petitioner has got no concern with the



alleged recovery and, in fact, nothing has been recovered from the conscious possession of this petitioner. There is no compliance of Section 100 of the Cr.P.C. It has been submitted on behalf of the petitioner that the petitioner is in custody since 17.08.2023 and has one criminal antecedent.

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 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 Gogri P.S. case No. 290 of 2023.

**(Rudra Prakash Mishra, J)**

Alok Verma/-

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