

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16805 of 2024

Arising Out of PS. Case No.-9 Year-2023 Thana- BAUGHAT District- Sheikhpura

Chhote Singh @ Chhotu Kumar @ Nand Kishore Kumar Son Of Late Sahdeo Singh @ Shaho Singh Resident Of Village- Bhadaus, Ps- Sheikhpura, Distt-Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aryan Singh

For the Opposite Party/s : Mr.Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 13-03-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Baughat P.S. case No. 09 of 2023 instituted for the offences under Sections 25(1-b)a, 26, 35 of the Arms Act.

3. Prosecution case, in short, is that on the basis of secret information police police intercepted the motorcycle of the accused persons. Seeing the police, the accused person tried to flee away but one of them was apprehended whereas other one (this petitioner) managed to flee away. On search, 3210 live cartridges were recovered from the apprehended person.



4. Learned counsel for the petitioner submitted that the petitioner is innocent has falsely been implicated in the present case. The petitioner was not apprehended on the spot. The name of the petitioner has been transpired in this case on the basis of disclosure made by the co-accused person who was apprehended on the spot. Nothing has been recovered from the conscious possession of the petitioner. The alleged recovery of live cartridges has been made from the co-accused who was apprehended on the spot and this petitioner has no concern with the alleged recovery. Charge-sheet has been submitted in this case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 12.12.2023 and has no 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, clean antecedent as also 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 Baughat P.S. case
No. 09 of 2023.

(Rudra Prakash Mishra, J)

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