

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15896 of 2024

Arising Out of PS. Case No.-134 Year-2023 Thana- BHAIKAVSHATHAN District-
Madhubani

Kiran Deo Kumar @ Kiran Dev Kumar @ Shibam Kumar, Son of Kapildev
Mahato, Resident of Village- Barua Raun, P.s.- Alauli, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Adv.
For the State : Mr. Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 25(1-b)A, 26 and 35 of
the Arms Act.

3. As per prosecution case, there has been recovery of
one loaded country-made pistol and one live cartridge from the
possession of the petitioner.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. The petitioner has no concern with the
alleged arms and cartridges, which were seized by the police.
Only on the basis of suspicion, petitioner has implicated in the



present case by the police. He further submitted that the police after applying the third degree method, recorded his confessional statement and shown that the implication of the petitioner in the present occurrence. He is languishing in judicial custody since 01.10.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as the period of custody, this court is inclined to enlarge the petitioner on bail **after framing of charge, if not framed**. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-1, Jhanjharpur, Madhubani in connection with Bhairavshtan P.S. Case No. 134 of 2023.

(Sunil Kumar Panwar, J)

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