

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21457 of 2024

Arising Out of PS. Case No.-599 Year-2023 Thana- BIRAUL District- Darbhanga

Gulshan Kumar @ Gulshan Kumar Yadav Son Of Asharfi Yadav Resident Of
Village - Kubotan, P.S. - Kusheshwar Asthan, District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Anand, Advocate

For the Opposite Party/s : Mr. Binod Kumar, APP

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

ORAL ORDER

2 22-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Biraul P.S. Case No. 599 of 2023, instituted for the offences punishable under Sections 399, 402, 120(B), 413, 414 of the Indian Penal Code, Sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. The prosecution case, in short, is that, the petitioner along with other co-accused persons sitting at Khora Gachhi. On seeing the police party they tried to flee away but was apprehended. On search, loaded country pistol was recovered from the possession of co-accused persons and a mobile phone was recovered from the possession of the petitioner.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in the present case. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner further submits that the petitioner is languishing in judicial custody since 15.12.2023 and has got no criminal antecedent. It is lastly submitted that Charge-sheet has already been submitted in the present case.

5. Learned APP 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 taking into account 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Biraul P.S. Case No. 599 of 2023.

(Rudra Prakash Mishra, J)

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