

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24075 of 2024

Arising Out of PS. Case No.-758 Year-2023 Thana- NAUBATPUR District- Patna

Vikash Kumar S/o Shri Sudarshan Prasad R/o vill - Jamaluddinchak, P.S. -
Khagaul, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Kumar, Advocate

For the Opposite Party/s : Mr. Dinesh Singh, APP

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

ORAL ORDER

3 26-04-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in Naubatpur P.S. Case
No. 758 of 2023, instituted for the offences punishable under
Sections 25(1-B)a, 26 and 35 of the Arms Act.

3. The prosecution case, in short, is that, there is
recovery of one pistol and four live cartridges 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. Charge-sheet has been submitted in this case. No
incriminating material has been recovered from the conscious
possession of the petitioner. The petitioner has got no concern



with the recovered arms. The petitioner is in custody since 31.10.2023 and has got no criminal antecedent. There is no compliance of Section 100 of the Cr.P.C. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted bail by this Court vide order dated 01.04.2024 passed in Cr. Misc. No. 21828 of 2024.

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, taking into account the period of custody undergone by the petitioner and claim based on parity, 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 Naubatpur P.S. Case No. 758 of 2023.

(Rudra Prakash Mishra, J)

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