

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27119 of 2024

Arising Out of PS. Case No.-246 Year-2023 Thana- CHACKMEHSI District- Samastipur

Golu Kumar son of Kedar Ray Vill- Mali nagar Simri Ps- Chakmehsi Dist-
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr.Nirmala Kumari

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

ORAL ORDER

2 09-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Chackmehsi P.S. Case No. 246 of 2023 instituted for the offences punishable under Sections 399, 402, 413, 414 and 120B of the IPC and Sections 25(1-b)a and 26/35 of the Arms Act.

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

4. Learned counsel for the petitioners submitted that the petitioner has falsely been implicated in the present case. Charge-sheet has been submitted in this case. The petitioner has



no concern with the alleged arms and cartridges, which were seized by the police. He further submitted that the recovered motorcycle from the possession of the petitioner is not a stolen property and the same belongs to the brother of the informant. Only on the basis of suspicion, petitioner has been implicated in the present case by the police. The provision of Section 100 of the Cr.P.C. has not been followed in this case while preparing the seizure list. The petitioner is in custody since 29.12.2023 and he has no criminal antecedent.

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 as well as 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 Chackmehsi P.S. Case No. 246 of 2023.

(Rudra Prakash Mishra, J)

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