

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24447 of 2024

Arising Out of PS. Case No.-261 Year-2023 Thana- BHAGWANPUR District- Vaishali

Vishwajeet Pratap Singh S/O Dhannjay Kumar Singh @ Dhananjay Singh
R/O Village- Rewa, P.S- Saraiya, In The Distt. Of Muzaffarpur.

... .. Petitioner/S

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar, Advocate
For the State : Mr. Nand Kishore Prasad, APP

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

ORAL ORDER

2 03-04-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Bhagwanpur P.S. Case No. 261 of 2023 instituted for the
offence under Sections 414, 399 & 402 of the Indian Penal Code
and Sections 25(1-B)a, 26 & 35 of the Arms Act.

3. Prosecution case in short is that there is recovery
one country made pistol and one live cartridge from the
possession of the petitioner.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 13-12-2023. Petitioner
bears one criminal antecedent, as per disclosure made in
paragraph No. 3 of the bail application.



5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case due to high-handedness of police officials, and in fact, no incriminating material has been recovered from the conscious possession of the petitioner. Petitioner has got no concern with the alleged recovery. Charge sheet has been submitted in this case. There is no compliance of Section 100 of the Cr.P.C. Othe co-accused has been granted bail by this Court *vide* order dated 01-03-2024, passed in Cr. Misc. No. 12825 of 2024.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, charge sheet being submitted and claim based on parity, this Court is inclined to grant bail to the petitioner.

8. 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 Bhagwanpur P.S. Case No. 261 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the



family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj kishore/-

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