

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27398 of 2024

Arising Out of PS. Case No.-948 Year-2023 Thana- KHAGARIA District- Khagaria

Karan Kumar S/O Kamli Tanti Village- Bhadas South, P.S- Muffasil, Distt-
Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh

For the Opposite Party/s : Ms.Madhuri Lata

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

ORAL ORDER

2 09-04-2024 At the outset, learned counsel for the petitioner is permitted to make correction in para-11 of the bail petition.

2. Heard learned counsel for the petitioner and learned APP for the State.

3. The petitioner seeks bail in connection with Khagaria P.S. Case No. 948 of 2023 instituted for the offences punishable under Sections 25(1-b)a and 26/35 of the Arms Act.

4. As per prosecution case, there has been recovery of two country-made pistols and one live cartridge from the house of the petitioner.

5. Learned counsel for the petitioners submitted that the petitioner has falsely been implicated in the present case. Petitioner was not apprehended on spot. Charge-sheet has been



submitted in this case. No incriminating article has been recovered from the conscious possession of the petitioner. 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 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 19.09.2023 and he has no criminal antecedent.

6. Learned APP 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 as well as the period of custody undergone by the petitioner, 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 Khagaria P.S. Case No. 948 of 2023.

(Rudra Prakash Mishra, J)

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