

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29465 of 2024

Arising Out of PS. Case No.-291 Year-2023 Thana- BHAGWANPUR District- Vaishali

Mithlesh Kumar Son of Akhilesh Ram R/o Village- Karhari, P.S.-
Bhagwanpur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Madhura Nand Jha, APP

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

ORAL ORDER

2 30-04-2024 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. 291 of 2023 instituted for the
offences under Sections 25(1-b)a, 26, 35 of the Arms Act.

3. As per the F.I.R., one *katta*, one live cartridge and
one knife has been recovered from this petitioner.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious
possession of the petitioner. Learned counsel further submitted



that petitioner has got no concern with the recovered arms and ammunitions. Charge-sheet has been submitted in this case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 23.12.2023 and has no criminal antecedent. There is no compliance of Section 100 of the Cr.P.C.

5. Learned A.P.P. 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, clean antecedent, charge-sheet already being submitted as also 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 Bhagwanpur P.S. case No. 291 of 2023.

(Rudra Prakash Mishra, J)

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