

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29613 of 2024**

Arising Out of PS. Case No.-124 Year-2023 Thana- TARARI District- Bhojpur

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Badal Kumar S/O Rajesh Singh Resident of Village- Saidanpur, P.S- Tarari,
District- Bhaojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Harendra Prasad, APP

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

ORAL ORDER

2 22-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Tarari
P.S. case No. 124 of 2023 instituted for the offences under
Sections 414 of the Indian Penal Code and 25(1-b)a, 26, 35 of
the Arms Act.

3. As per the F.I.R., on the basis of secret information
that three miscreants were planning to commit crime, the police
raided the place of occurrence. Seeing the police party, the
accused persons tried to flee away, but one of them was



apprehended. On search, one country-made pistol and two live cartridges were recovered from the apprehended person who, on interrogation disclosed the names of accused persons(including the name of petitioner) who fled away from the spot.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Petitioner was not apprehended on the spot. The name of the petitioner was disclosed by the co-accused person who was apprehended on the spot. 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 17.01.2024 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 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 withrari P.S. case No. 124 of 2023.

(Rudra Prakash Mishra, J)

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