

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39013 of 2024

Arising Out of PS. Case No.-557 Year-2023 Thana- DIGHA District- Patna

Kalu Kumar S/o Sanjay Sao R/o Jhoparpatti Naharpar, in front of Patliputra
Station, P.S. - Rupaspur, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Anant Kumar 1, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

4 12-07-2024 Let the defect(s) be ignored as pointed out by the
Stamp Reporter.

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

3. The petitioner is in custody for an offence
punishable under Section 25(1-b)a, 26 and 35 of the Arms Act.

4. As per allegation in the FIR, one country made
pistol and live cartridges were recovered from the possession of
the petitioner.

5. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. He next
submits that petitioner is in custody since 22.07.2023.

6. Learned APP for the State opposes the prayer for



bail of the petitioner.

7. On perusal of the first information report and impugned order dated 22.02.2024, it appears that one country made pistol and one live cartridge were recovered but no independent witness of seizure list and one co-accused has been granted bail by a Co-ordinate Bench of this Court passed in Cr. Misc. No. 6537 of 2024, so considering all the circumstances, I am inclined to grant bail to the petitioner.

8. Let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-XIII, Patna in connection with Digha P.S. Case No. 557 of 2023, subject to the condition that the petitioner shall remain present before the trial Court on each and every date till conclusion of the trial.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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