

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34389 of 2024

Arising Out of PS. Case No.-642 Year-2023 Thana- SAHARSA SADAR District- Saharsa

Manash Kumar Son of Navin Mishra @ Naveen Mishra Resident Of Village-
Sirniya, P.S.- Gogari, Jamalpur, Dist- Khagariya At Present Residing In
Rental Building Bhavesh Chandra At Mohalla - Bataraha, Ward No.- 25,
Saharsa Sadar, District- Saharsa (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akash Anand, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, APP

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

ORAL ORDER

2 02-05-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in Saharsa Sadar P.S. Case
No. 642 of 2023, instituted for the offences punishable under
Sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. The prosecution case, in short, is that, two live
cartridges have been recovered from the possession of the
petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this case. No
incriminating material has been recovered from the conscious



possession of the petitioner. The petitioner is in custody since 12.09.2023 and has got two criminal antecedents in which the petitioner is on bail. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted bail by this Court vide order dated 01.04.2024 passed in Cr. Misc. No. 22229 of 2024.

5. Learned APP 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, taking into account the period of custody undergone by the petitioner and claim based on parity, 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Saharsa Sadar P.S. Case No. 642 of 2023.

(Rudra Prakash Mishra, J)

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