

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32103 of 2024

Arising Out of PS. Case No.-12 Year-2024 Thana- KUNDWACHAINPUR District- East
Champaran

=====

Himanshu Kumar Son of Virendra Singh Resident of Village- Bairiya , P.S-
Kundwachainpur ,Dist- East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate
For the Opposite Party/s : Mr.Ram Bilash Roy Raman, APP

=====

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

ORAL ORDER

2 26-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Kundwachainpur P.S. case No. 12 of 2024 instituted for the
offences under Sections 25(1-b)a, 26, 35 of the Arms Act.

3. As per the F.I.R., one pistol and four cartridges were
recovered from the 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. It has been submitted on behalf of the petitioner that the petitioner is in custody since 21.01.2024 and has three criminal antecedents but he is on bail in all the cases. 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 with Kundwachainpur P.S. case No. 12 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner tampers with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move
for cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

U		T	
---	--	---	--

