

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33012 of 2024

Arising Out of PS. Case No.-168 Year-2024 Thana- BHABHUA District- Kaimur (Bhabua)

Kuber Ram S/O Keshonath Ram R/O Village- Amardhi, P.S- Sonhan, Distt.-
Kaimur At Bhabua.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Tribhuwan Narayan, Advocate

For the Opposite Party/s : Mrs.Renu Kumari, APP

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

ORAL ORDER

2 29-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Bhabhua P.S. case No.
168 of 2024 instituted for the offences under Sections 25(1-
AA), 25(1-b)(a), 26 and 35 of the Arms Act.

3. Prosecution allegation, in short, is that the accused
persons including the petitioner were engaged in manufacturing
and selling of illegal fire arms. One country made katta, 27
pieces of empty cartridges and some equipment were recovered.

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 alleged recovery is made from the house of Kesho Nath Ram. The petitioner has no concern with alleged manufacturing and selling of fire arms. The petitioner was not apprehended at the spot. The petitioner is in custody since 08.03.2024 and has no criminal antecedent. There is no compliance of Section 100 of the Cr.P.C. Co-accused has been granted bail by this Bench vide order dated 22.04.2024 passed in Cr. Misc. No. 30049 of 2024.

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, the period of custody undergone by the petitioner and the 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bhabhua P.S. case No. 168 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.

(Rudra Prakash Mishra, J)

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