

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32596 of 2024

Arising Out of PS. Case No.-102 Year-2022 Thana- BELDOUR District- Khagaria

Bablu Kumar @ Mayank @ Babul Kumar S/o Devesh Kumar @ Daves
Yadav R/o vill - Bhatpura, ward no. 05, P.S. - Bakhtiyarpur, Distt. - Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Uday Chand Prasad, Advocate
		Mr. Manoj Kumar, Advocate
		Ms. Pooja Prasad, Advocate
For the Opposite Party/s :		Mr. Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 22-05-2024 Heard Ld. counsel for the petitioner and Ld. APP for
the State.

2. The present petition has been filed on behalf of the petitioner, apprehending his arrest, in connection with Beldour P.S. Case No. 102 of 2022, registered for the offences punishable under Sections 25(1-b)a, 26, 35 of the Arms Act.

3. The prosecution case as emerges from the FIR is that the police, during patrolling got information that some Accused persons have looted one Scorpio vehicle and fled away towards Saharsa. On chase, the aforesaid vehicle was recovered but the Accused persons fled away. On search, one country made pistol and a mobile phone were seized from the vehicle.

4. Ld. counsel for the petitioner submits that the



Petitioner is innocent and has falsely been implicated in this case. He further submits that the Petitioner is a twenty year young student. He further submits that the FIR has been lodged against unknown persons and the vehicle in question has not been seized from him. He further submits that he is no way involved in the alleged offence.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioner has been made accused in two other cases.

7. However, Ld. APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. Judicial Magistrate-Ist Class, Khagaria, in



connection with Beldour P.S. Case No. 102 of 2022, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has criminal antecedents other than the disclosed one, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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