

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33673 of 2024

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

1. Chhotelal Ram Son Of Late Keshonath Ram R/O Village- Amardhi, P.S.- Sonhan, Dist- Kaimur At Bhabua
2. Pintu Ram Son Of Late Keshonath Ram R/O Village- Amardhi, P.S.- Sonhan, Dist- Kaimur At Bhabua
3. Keshonath Ram S/O Late Tengari Ram R/O Village- Amardhi, P.S.- Sonhan, Dist- Kaimur At Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuvan Narayan, Advocate
For the Opposite Party/s : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 01-05-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with 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 all the FIR named accused persons including the petitioners herein were involved in manufacturing and selling of arms. Petitioners were caught on the spot.



4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. Charge-sheet been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioners. The petitioners are in custody since 08.03.2024 and have got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case, clean antecedent of the petitioners and the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioner Nos. 1 and 2 be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each whereas petitioner No. 3 be released **after framing of charge if not already framed**, 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 petitioners.



(II) The petitioners 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 petitioners.

(Rudra Prakash Mishra, J)

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