

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36922 of 2024

Arising Out of PS. Case No.-1185 Year-2023 Thana- GAYA MUFASIL District- Gaya

Rishi Kumar Son of Binod Sao @ Vinod Sao Village- Mastalipur, Ps-
Muffasil, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aryan Singh, Advocate

For the Opposite Party/s : Mr.Ganesh Prasad Singh, APP

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

ORAL ORDER

2 17-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Muffasil P.S. case No. 1185 of 2023 instituted for the offences under Sections 399, 402, 413, 414 of the Indian Penal Code and Section 26 and 35 of the Arms Act.

3. Prosecution case, in short, is that, police, on the basis of secret information that some miscreants are planning to commit crime, raided the place of occurrence and arrested seven persons including this petitioner. On search, arms and ammunitions were recovered from them.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. No



incriminating article except mobile phone has been recovered from the conscious possession of the petitioner. There is no any firearm recovery from the conscious possession of this petitioner rather the recovery of arms and ammunitions is attributed to co-accused persons. Charge-sheet has been submitted in this case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 28.11.2023 and has one criminal antecedent.

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, no any recovery of firearm from possession of this petitioner 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 Muffasil P.S. case No. 1185 of 2023, 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/-

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