

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36428 of 2024

Arising Out of PS. Case No.-929 Year-2023 Thana- GAYA MUFASIL District- Gaya

Nitish Kumar son of Shiv Ranjan Singh @ Pintu Singh @ Chintu Singh
Village- Kobil Ps- Islampur Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Javed Jafar Khan, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

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

ORAL ORDER

2 15-05-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Gaya
Mufassil P.S. case No. 929 of 2023 instituted for the offences
under Sections 25(1-b)a, 26, 35 of the Arms Act

3. As per the F.I.R., police, on the basis of secret
information police apprehended the accused persons including
this petitioner. On the basis of disclosure made by the
apprehended persons, the recovery of pistols and live cartridges
were made.

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. The alleged recovery has been made from the lodge of co-accused Ajay Kumar. Charge-sheet has been submitted in this case. It has been submitted on behalf of the petitioner that, as per the FIR, the petitioner is in custody since 01.09.2023 and has three criminal antecedents. Other co-accused has been granted bail by this Court *vide* order dated 13-03-2024, passed in Cr. Misc. No. 16591 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 as also the period of custody undergone by the petitioner and 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 Gaya Mufassil P.S. case No. 929 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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