

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40063 of 2024

Arising Out of PS. Case No.-99 Year-2024 Thana- MAKHDUMPUR District- Jehanabad

LAV KUMAR SON OF LATE RAGHVENDRA SHARMA RESIDENT OF
VILLAGE - PALEYA, POLICE STATION - MAKHDUMPUR, DISTRICT -
JEHANABAD

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Sr. Advocate Mr. Rakesh Kumar Sharma, Advocate
For the Opposite Party/s	:	Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 05-06-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Makhdumpur P.S. Case no. 99 of 2024 registered under sections 307, 402 and 399 of the Indian Penal Code and sections 25(1-B)(a), 26, 27 and 35 of the Arms Act.

3. As per the prosecution case, the informant states that on having received information about the accused persons having gathered and planning to give effect an occurrence of dacoity, it is stated that a raid was conducted. It transpired that one of the accused had sustained firearm injury in an accidental fire which had taken place. The informant states that Golu Kumar who sustained injury took the name of Lav Kumar as having handed over the firearm to him and in turn Lav Kumar



took the name of Balajee and finally the firearm was recovered from tube well boring of the petitioner.

4. It is submitted by learned Senior counsel appearing for the petitioner that the petitioner is innocent and has been falsely implicated in the case. No incriminating article has been recovered from his possession or from the alleged boring. In any case of the matter the alleged place of recovery cannot be said to be under the exclusive control of this petitioner who is in custody since 28.02.2024 and has no criminal antecedent. Chargesheet has been submitted in this case.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the F.I.R., his being in custody for over 3 months since 28.02.2024, chargesheet having been submitted in the case and specially the petitioner not having any criminal antecedent, the Court directs the petitioner to be enlarged on bail in connection with Makhdumpur P.S. Case no. 99 of 2024 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-1, Jehanabad.

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(Partha Sarthy, J)

