

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38657 of 2024

Arising Out of PS. Case No.-539 Year-2023 Thana- PIRO District- Bhojpur

Krishna Kumar Son of Kameshar @ Jhagaru Singh Resident Of Village-
Lohradih Police Station- Rajpur, District- Rohtas

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Adv.

For the Opposite Party/s : Mr. Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 27-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Piro (Hasanbazar) P.S. Case No. 539 of 2023, lodged on
23.12.2023 under Section 414 of the Indian Penal Code read
with sections 25(1-B)a/26/35 of the Arms Act.

3. As per the prosecution case, FIR has been lodged
against four named accused persons including the present
petitioner. Arms, live cartridges, mobile phones, motorcycle
have been recovered which is the subject matter of the present
case.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
also submits that the seizure list has been attached with the FIR



and from the petitioner's possession, only mobile phone has been recovered and arms have not been recovered from his possession. Counsel further submits that the petitioner's name has been inserted in this case only at the instance of the police due to the reason that the criminal antecedent of the petitioner is not clean.

5. Learned counsel for the petitioner submits that the criminal antecedent of the petitioner is not clean and there are six criminal cases pending against him in which in five cases, he is on bail and in one case, he is persuing for bail. The petitioner is in custody since 24.12.2023 in the present case.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the criminal antecedent of the petitioner is not clean and this aspect may be taken into consideration while considering the bail application of the petitioner.

7. In the present facts and circumstances of this case and the submissions made above, **let the petitioner above named be granted bail, but only after framing of charge, if not framed** on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-



IV, Bhojpur at Ara in connection with Piro (Hasanbazar) P.S.
Case No. 539 of 2023, subject to the conditions as laid down
U/s 437(3) Cr.P.C.

8. However, the petitioner shall be granted bail only
on being satisfied by the Trial Court that the petitioner is not
absconding in any of the cases pending against him whose
details are as follows:-

(I)- Piro P.S. Case No. 540 of 2023.

(II)- Vikramganj P.S. Case No. 710 of 2023.

(III)- Barun P.S. Case No. 233 of 2023.

(IV)- Akodhigola P.S. Case No. 127 of 2021.

(V)- Akodhigola P.S. Case No. 133 of 2021.

(VI)- Rajpur P.S. Case No. 39 of 2021.

(Dr. Anshuman, J.)

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