

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40584 of 2024

Arising Out of PS. Case No.-182 Year-2023 Thana- JAMALPUR District- Munger

Pankaj Kumar, age about 40 years, Male, Son of Ramchandra Prasad @
Ramchandra Chaudhary, Resident of Village- Hazaratganj Chowk, Khankhah,
P.S.- Kasim Bazar, District- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 15-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Jamalpur
P.S. Case No. 182 of 2023 instituted for the offences punishable
under Sections 25(1-AA), 25(1-B)a, 26(i)(ii) and 35 of the Arms
Act.

3. As per the prosecution case, four accused persons
arrested at the spot with illegal in-completed country made pistols
who disclosed the name of petitioner and other accused persons.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence has falsely
been implicated in this case. Neither the petitioner was arrested on
the spot nor any incriminating articles have been recovered from
his conscious possession. His name has been transpired only on
the basis of confessional statement of apprehended co-accused



Md. Sabbir. Charges has already been framed in this case as stated by learned counsel for the petitioner. He is languishing in judicial custody since 22.09.2023.

5. Learned APP for the State has vehemently opposed the prayer for bail.

6. From perusal of the F.I.R. and seizure list, it appears that there is no recovery of arms and ammunition from the possession of petitioner. Nothing has been recovered from the possession of the petitioner and he was not arrested at the spot. Similarly situated co-accused person namely Md. Kashim has been granted bail by this Court in Cr. Misc. No. 31871 of 2024 vide order dated 25.04.2024, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named 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 the learned Additional District and Sessions Judge, Munger in connection with Sessions Trial No. 399 of 2023 arising out of Jamalpur P.S. Case No. 182 of 2023.

(Ramesh Chand Malviya, J)

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