

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41772 of 2024

Arising Out of PS. Case No.-114 Year-2024 Thana- BELAGANJ District- Gaya

Rishu Kumar Son of Late Anil Kumar Singh Village -Pranpur PS -Belaganj
District -Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Sharma, Advocate

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia, APP

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

ORAL ORDER

2 19-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Belaganj P.S. case No. 114 of 2024 instituted for the offences under Sections 341, 323, 337, 338, 353, 307/34 of the Indian Penal Code and Sections 25(1-B)(i), 26, 35 of the Arms Act.

3. As per the F.I.R., police, on the basis of secret information, arrested the co-accused Prince Kumar who further disclosed that various arms and ammunitions were present in the house of this petitioner. On the basis of this, search was made in the house of the petitioner and various arms and ammunitions were recovered.

4. Learned counsel for the petitioner submitted that the



petitioner is a student has falsely been implicated in the present case due to grudge and dirty village politics. Learned counsel further submitted that petitioner is innocent and has committed no offence as alleged in the FIR. There is no compliance of Section 100 of the Cr.P.C. Learned counsel further submitted that the name of petitioner was disclosed by the co-accused persons, namely Prince Kumar and Akshay Kumar, who have already been granted bail by the learned court below itself. 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. It has been submitted on behalf of the petitioner that the petitioner is in custody since 23.02.2024 and has no criminal antecedent. There is no compliance of Section 100 of the Cr.P.C.

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, clean antecedent 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 Belaganj P.S. case No. 114 of 2024.

(Rudra Prakash Mishra, J)

Alok Verma/-

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