

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43838 of 2024

Arising Out of PS. Case No.-101 Year-2024 Thana- NATHNAGAR District- Bhagalpur

Raja Babu Son Of Depak Kumar Village- Rampur Khurd, P.S.-
Madhusudanpur, Dist.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha, Advocate

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

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

ORAL ORDER

3 09-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Nathnagar P.S. case No.
101 of 2024 instituted for the offences under Sections 25(1)a,
25(1-b)a, 26 and 35 of the Arms Act.

3. Prosecution allegation, in short, is that in a raid
conducted by the police, one loaded pistol and one mobile
phone have been recovered from the petitioner. It is further
alleged that huge arms and ammunition were recovered from the
other accused.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case. The
petitioner is in custody since 16.02.2024 and has two criminal



antecedents in which he is on bail. No incriminating material has been recovered from the conscious possession of the petitioner. It is submitted that the place of recovery is the joint house of the petitioner where other family members reside. Co-accused has been granted bail by this Bench vide order dated 20.06.2024 passed in Cr. Misc. No. 42299 of 2024 and order dated 03.07.2024 passed in Cr. Misc. No. 36297 of 2024. 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, claim based on parity and 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 Nathnagar P.S. case No. 101 of 2024.

(Rudra Prakash Mishra, J)

Pankaj/-

U		T	
---	--	---	--

