

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.42784 of 2024**

Arising Out of PS. Case No.-62 Year-2024 Thana- KALYANPUR District- Samastipur

Shivam Kumar Son of Late Mohan Das R/O Vill.- Akbarpur, P.S.- Kalyanpur,  
Dist.- Samastipur

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Mahendra Pratap, Advocate

For the Opposite Party/s : Mr.Madhura Nand Jha, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH  
SINGH**

ORAL ORDER

2      20-07-2024                      Heard learned counsel for the petitioner and learned  
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Kalyanpur P.S. Case No. 62/2024 dated 11.03.2024 registered for the offences punishable u/s 399 and 402 of the Indian Penal Code and Sections 25(1-B) (a), 26 and 35 of the Arms Act.

3. As per the prosecution case, a pistol without magazine was recovered from the possession of the petitioner when he along with other co-accused persons were assembled for making preparation to commit crime.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



this case. Nothing has been recovered from the conscious possession of the petitioner. The other co-accused person has already been granted bail by this court *vide* order dated 14.05.2024 passed in Cr. Misc. No. 34297/2024. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 11.03.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Samastipur in connection with Kalyanpur P.S. Case No. 62/2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

atul/-

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