

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48362 of 2024

Arising Out of PS. Case No.-93 Year-2024 Thana- KAMTAUL District- Darbhanga

Vivek Kumar @ Vivek Singh Son of Late Jayvant Singh @ Ashok Singh R/O
Village- Bharwara, P.S.- Singhwara, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Murari Narain Chaudhary, Advocate
For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

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

ORAL ORDER

2 10-07-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Kamtaul P.S. Case No. 93 of 2024 instituted for the offence
under Sections 25(1-B)a, 26 & 35 of the Arms Act.

3. Prosecution case in a nutshell is that there is
recovery of double barrel gun from the house of the petitioner.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 11-04-2024. Petitioner
bears five criminal antecedents, as per disclosure made in
paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's
counsel that petitioner has been falsely implicated in the present



case. It is submitted that no such occurrence as alleged had ever taken place rather while the petitioner was going to Darbhanga to purchase medicine for his ailing mother, he was nabbed by the police and booked in this case. Petitioner has no concern with the recovered arms. Nothing has been recovered from the conscious possession of the petitioner. It is next submitted that there is no compliance of Section 100 of the Cr.P.C.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case and period of custody of the petitioner, this Court is inclined to grant bail to the petitioner.

8. 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 Kamtaul P.S. Case No. 93 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on



two consecutive dates, the Trial Court will have liberty to
cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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