

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51861 of 2024**

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

Manish Kumar Son of Manoj Baitha R/O Vill.- Ratanpura, P.S.- Kamtaul,
Dist.- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Smiti Bharti, Adv.
For the Opposite Party/s : Mr.Md. Aslam Ansari, 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 connection with
Kamtaul P.S. Case No. 93 of 2024 instituted for the offences
under Sections 25(1-B)a/26/35 of the Arms Act.

3. As per prosecution case, on receipt of confidential
information that the miscreants namely Balaji Thakur, Vivek
Kumar have gathered at the house of Manish Kumar (petitioner)
and are preparing to commit some crime, reached at the house
of Manish Kumar where in Balkrishn Bhardwaj @ Balaji
Thakur and Vivek Kumar were found sitting on a *Chawki*. The
police recovered one double barrel gun covered with a *Chadar*
kept on the *Chawki*. One mobile was also recovered.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. Till date, the police has not been able to prove the ownership of the seized double barrel gun. The petitioner has no criminal antecedent and is languishing in judicial custody since 11.04.2024 without any rhymes or reason.

5. Learned counsel for the petitioner again submits that the co-accused namely Vivek Kumar @ Vivek Singh has been granted bail by this Court vide order dated 10.07.2024 passed in Cr. Misc. No. 48362 of 2024.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, 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.

(Rudra Prakash Mishra, J)

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