

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48943 of 2024

Arising Out of PS. Case No.-31 Year-2024 Thana- SAHPUR District- Bhojpur

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Bimlesh Tiwari @ Mukhiya Son of Jaishambhu Tiwari R/O Vill.- Barishwan,
P.S.- Shahpur, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shantam Shivam, Advocate

For the Opposite Party/s : Mr.Bharat Lal, APP

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

ORAL ORDER

2 24-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Shahpur P.S. Case No. 31 of 2024 instituted for the offences
under Sections 25(1-b)a, 26, 35 of the Arms Act.

3. Prosecution case, in brief, is that, on the basis of
secret information, police raided the place of occurrence and
apprehended four persons including this petitioner. On search,
various arms and ammunitions from accused persons.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
any arms/ammunitions have been recovered from the conscious
possession of the petitioner rather the same have been recovered



from other co-accused persons who were present at the spot. Learned counsel further submitted that petitioner has got no concern with the recovered arms and ammunitions. Charge-sheet has been submitted in this case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 20.01.2024 and has four criminal antecedents. 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, no any recovery of firearms 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 Shahpur P.S. Case No. 31 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)

Alok Verma/-

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