

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49377 of 2024

Arising Out of PS. Case No.-82 Year-2024 Thana- BARBIGHA District- Sheikhpura

Murari Kumar S/O Lakhan Chauhan R/O Village- Isua, P.S- Sarmera, Distt.-
Nalanda.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Anjani Pd. Singh, Advocate

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

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

ORAL ORDER

2 19-07-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in Barbigaha P.S. Case No.
82 of 2024, instituted for the offences punishable under Sections
25(1-B)a, 26 and 35 of the Arms Act.

3. The prosecution case, in short, is that, there is
recovery of 50 live cartridges from the right pocket of the
petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this case. No
incriminating material has been recovered from the conscious
possession of the petitioner. Learned counsel for the petitioner



also submits that the petitioner has got no concern with the alleged recovery. The petitioner is in custody since 04.03.2024 and has got no criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted bail by this Court vide order dated 20.06.2024 passed in Cr. Misc. No. 42287 of 2024.

5. Learned APP 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, taking into account the period of custody undergone by the petitioner and claim based on parity, 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Barbigha P.S. Case No. 82 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.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

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