

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48635 of 2024**

Arising Out of PS. Case No.-24 Year-2024 Thana- PRANPUR District- Katihar

Ganesh Chaudhary Son of Shankar Chaudhary Village- Roshna, P.S.- Pranpur
(Roshna O.P.), Distt- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Advocate
For the Opposite Party/s : Mr. Amitesh Kumar, APP

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

ORAL ORDER

2 12-07-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in Pranpur (Roshna) P.S.
Case No. 24 of 2024, instituted for the offences punishable
under Sections 25(1-a), 25(1-AA), 25(1-b)a, 26, 27 and 35 of
the Arms Act.

3. The prosecution case, in short, is that, one country
made pistol and one live cartridge was recovered from the
possession of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present 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 no concern with the alleged recovery of arms. The petitioner is in custody since 16.02.2024 and has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted bail by this Court vide order dated 02.05.2024 passed in Cr. Misc. No. 34081 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 Pranpur (Roshna) P.S. Case No. 24 of 2024.

(Rudra Prakash Mishra, J)

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