

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48314 of 2024

Arising Out of PS. Case No.-66 Year-2024 Thana- THAWE District- Gopalganj

Amjad Son of Jiledin R/O Vill.- Harswali, P.S.- Sahpur, Dist.- Mujaffarnagar,
U.P.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

**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 Thawe P.S. Case No. 66
of 2024, instituted for the offences punishable under Sections
399, 402 of the Indian Penal Code and Section 25(1-b)a, 26 and
35 of the Arms Act.

3. The prosecution case, in short, is that, one country
made pistol and three live cartridges have been 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. 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 further submitted that the petitioner has got no concern with the alleged recovery of arms. The petitioner has been arrested on the basis of suspicion. The petitioner is in custody since 12.03.2024 and has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

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 and taking into account 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Thawe P.S. Case No. 66 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)

Rajorshi/-

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