

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48538 of 2024

Arising Out of PS. Case No.-106 Year-2024 Thana- MAJORGANJ District- Sitamarhi

Chhotu Pandey @ Om Prakash Pandey S/o Late Murat Pandey R/o vill -
Basbitta, ward no. 10, P.S. - Majorganj, Distt. - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No. 1, 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 Majorganj P.S. Case
No. 106 of 2024, instituted for the offences punishable under
Sections 25(1-b)a, 26/35 of the Arms Act.

3. The prosecution case, in short, is that, one country
made pistol and two cartridges have been recovered from the
house 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 alleged recovery has been
made from joint house of the petitioner where other family



members also reside. The petitioner has no concern with the alleged recovery of arms. The petitioner is in custody since 28.03.2024 and has got three criminal antecedents in which the petitioner is on bail in two cases. 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 26.06.2024 passed in Cr. Misc. No. 44230 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 Majorganj P.S. Case No. 106 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

U		T	
---	--	---	--

