

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54727 of 2024

Arising Out of PS. Case No.-41 Year-2024 Thana- MOTIPUR District- Muzaffarpur

Balendra Kumar Son of Laldev Sahani R/O Vill.- Mahbal, P.s.- Motipur,
Dist.- Muzaffarpur, Bihar

... .. Petitioner

Versus

The State Of Bihar Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Arun Kumar, Advocate

For the Opposite Party : Mr. Umanath Mishra, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 05-09-2024 Heard learned counsel for the petitioner and

learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Motipur P.S. Case No. 41 of 2024 dated 17.02.2024 registered for the offence/s punishable u/ss 399, 402, 414 of the Indian Penal Code, 25(1-B)a, 26, 35 of the Arms Act and 8(C) 21(b) of the NDPS Act.

3. As per the prosecution case, a magazine fitted pistol with three live cartridges and 5.270 gm. smack were recovered from the possession of the petitioner.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. The seized contraband is less than commercial quantity. The other co-accused person has already been granted bail by this court *vide* order dated 09.07.2024 passed in Cr. Misc. No. 43813/2024. The petitioner has no concern with the said recovery. The petitioner has one antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 18.02.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Muzaffarpur in connection with Motipur P.S. Case No. 41 of 2024, with the condition:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without



reasonable cause, the bail bonds of the petitioner is liable to
be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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