

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51225 of 2024

Arising Out of PS. Case No.-762 Year-2023 Thana- NAUBATPUR District- Patna

1. Bittu Kumar SON OF VIRENDRA RAM VILLAGE- KHAJURI, PS- NAUBATPUR, DIST- PATNA
2. RAHUL KUMAR SON OF UDAY KUMAR VERMA VILLAGE- KHAJURI, PS- NAUBATPUR, DIST- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rudra Deo

For the Opposite Party/s : Mr.Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY **ORAL ORDER**

2 25-07-2024 Heard the learned counsel for the petitioners as well as the learned Additional Public Prosecutor for the State.

2. The petitioners are seeking regular bail in connection with Naubatpur P.S. Case No. 762 of 2023, registered for the offences punishable under Sections 25(1-B)a, 26, 35 of the Arms Act.

3. As per allegation, during course of checking, the accused persons tried to flee away, but they were apprehended. On interrogation, they disclosed their names as Rahul Kumar and Bittu Kumar and on search, one country made loaded pistol containing one live cartridge was recovered from the possession of the petitioner no. 1, while from possession of petitioner no. 2, one live cartridge and one mobile set were recovered.

4. The learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. Nothing has been recovered from the



possession of the petitioners. He has further submitted that they are the persons of clean antecedents and are under custody since 03.11.2023.

5. Considering the above-mentioned facts and circumstances, let the petitioners above-named be released on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-V, Danapur Patna in connection with Naubatpur P.S. Case No. 762 of 2023, subject to the following conditions:-

(i) The petitioners shall cooperate in the disposal of trial and make themselves available on each and every date till conclusion of the trial.

(ii) **In case of their failure in physical appearance before the court below on two consecutive dates, unless they are prevented by extremely adverse circumstances, the learned court below will be at liberty to cancel the bail bonds of the petitioners.**

(Nawneet Kumar Pandey, J)

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