

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55585 of 2024

Arising Out of PS. Case No.-78 Year-2024 Thana- SANJHOLI District- Rohtas

Pawan Kumar Son of Ashok Ram R/V Ward No-05, Nokha, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Mishra, Adv.

For the Opposite Party/s : Mr.Md. Shakir Ahmad, APP

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

ORAL ORDER

2 14-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Sanjhaului P.S. Case No. 78 of 2024 instituted for the offences under Section 414 of the Indian Penal Code (now BNS-317) and Section 25(1-b)a, 26/35 of the Arms Act.

3. As per prosecution case, the police, in course of raid, caught two motorcycle-borne persons including the petitioner and, on search, recovered one country-made pistol and a mobile phone from the possession of the petitioner. The police also seized the Splender Plus Motorcycle.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case.



He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case. The petitioner has no criminal antecedent and is languishing in judicial custody since 02.05.2024 without any rhymes or reason. Charge-sheet has been submitted in this case.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sanjhaului P.S. Case No. 78 of 2024.

(Rudra Prakash Mishra, J)

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