

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54133 of 2024

Arising Out of PS. Case No.-77 Year-2024 Thana- KARAHGAR District- Rohtas

Kameshwar Singh Son of Late Laxman Singh R/o village - Reriya, P.S.-
Kargahar, District - Rohtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tribhuwan Narayan, Adv.

For the Opposite Party/s : Mr.Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 07-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Kargahar P.S. Case No. 77 of 2024 instituted for the offences
under Section 353 of the Indian Penal Code and Section 25(1-b)
(a), 26, 35 of the Arms Act.

3. As per prosecution case, the police has recovered
two empty cartridges from the possession of the petitioner. It is
alleged that one loaded country-made *Katta* (pistol) has also
been recovered from the possession of co-accused Dharmendra
Kumar who is the son of the petitioner.

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 one criminal antecedent and is languishing in judicial custody since 07.03.2024 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, 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 Kargahar P.S. Case No. 77 of 2024.

(Rudra Prakash Mishra, J)

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