

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 56110 of 2024

Arising Out of PS. Case No.-86 Year-2024 Thana- TARARI District- Bhojpur

Vikash Pandey @ Bitu Pandey S/O Late Anil Pandey R/O Village- Bhakura,
P.S- Tarari, Distt.- Bhojpur.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Pandey, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 26-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Tarari P.S. Case No. 86 of 2024, registered on 13.04.2024, for the alleged offences under Sections 25(1-B) (a)/26/27 of the Arms Act

03. As per prosecution case, the police received information about a person opening fire in order to create terror. The police reached there and a person ran away from there opening fire in air and tried to hide himself in a wheat field. The person was apprehended with rifle along with five cartridges. The petitioner is the apprehended person.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. The recovery of rifle has been from the field and not from the physical and conscious possession of this petitioner. The witnesses are all police personnel. The charge-sheet has been submitted without any sanction. Learned counsel further submits that though the rifle is stated to be an automatic rifle but the report of Armorer Inspector shows it is a single short rifle. The petitioner is in custody since 14.04.2024 and charge-sheet has been submitted. The petitioner has got no criminal history.

05. Learned APP for the State opposes the prayer for bail.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner along with submission of charge-sheet, the petitioner above named is directed to 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 learned Judicial Magistrate- 1st Class, Bhojpur at Ara/court concerned in connection with Tarari P.S. Case No. 86 of 2024, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.



(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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