

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55017 of 2024

Arising Out of PS. Case No.-329 Year-2022 Thana- KASIMBAZAR District- Munger

Dilip Singh @ Dilip Kumar Singh S/o Late Rambahadur Singh R/o vill -
Bindwara, Katghar Tola, P.S. - Kasim Bazar, Distt. - Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Jyoti Ranjan Jham, Advocate

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

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

ORAL ORDER

3 29-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. Earlier, vide order dated 05.09.2023 passed in Cr.
Misc. No. 25141 of 2023, the prayer for grant of regular bail to
the present petitioner was rejected.

3. The petitioner has prayed for bail in connection
with Kasim Bazar P.S. Case No. 329 of 2022 instituted for the
offence under Sections 25(1-b)a, 26(i)(ii)/35 of the Arms Act.

4. Prosecution case relates to recovery of two rifles,
three country made pistols along with one *dunaali* gun and some
live cartridges from the house of the petitioner at the instance of
co-accused person, namely Vivek Kumar who was apprehended
by the police.



5. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this present case due to personal grudge. It is further submitted that nothing has been recovered from the conscious possession of the petitioner. It is further submitted that the place of occurrence does not belong to the petitioner. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, the petitioner is languishing in judicial custody since 05.12.2022.

6. Learned APP appearing for the state has vehemently opposed the prayer of regular bail and submitted that the petitioner was apprehended by the police with the said incriminating weapons which are huge in quantity and also signature of the petitioner has been mentioned on seizure list.

7. As per the stage report dated 09.08.2024 sent by the learned trial Court, the trial case is pending at the stage of framing of charge.

8. Considering the aforesaid facts and circumstances of the case, and the stage of the trial case, as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

9. Let the petitioner 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 Kasim Bazar P.S. Case No. 329 of 2022, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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