

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56999 of 2024

Arising Out of PS. Case No.-184 Year-2024 Thana- SIRDALA District- Nawada

Sandeep Kumar Son of Anil Rajbanshi Resident of Village - Kharaundh, P.S. -
Sirdalla, District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manmohan Kumar, Advocate

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

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

ORAL ORDER

2 21-08-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with Sirdalla
P.S. Case No. 184 of 2024 instituted for the offences under
Sections 25(1-b)a, 26, 35 of the Arms Act.

3. Prosecution case, in short, is that, police party
raided the place in connection with wanted accused of different
cases on the basis of whatsapp message(picture) wherein a
person/boy was having a country-made pistol in his hand. On
that basis, police party raided the house of Rohit Kumar and
Rohit Kumar disclosed that the country-made pistol in question
belongs to one Manoj Rajbanshi @ Dabloo, and thereafter,
when the police party interrogated Manoj Rajbanshi @ Dabloo,



he accepted that the said country-made pistol belongs to him which he has given to one Sandeep Kumar (petitioner). Thereafter, police recovered the country-made pistol in question in the field near the house of the uncle of Sandeep Kumar (petitioner).

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. The name of the petitioner transpired in this case on the basis of confessional statement of the co-accused Manoj Rajbanshi @ Dabloo. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner has got no concern with the recovered arms and ammunitions. It has been submitted on behalf of the petitioner that the petitioner is in custody since 15.05.2024 and has no criminal antecedent. There is no compliance of Section 100 of the Cr.P.C.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, no any recovery of firearm from the conscious possession of the petitioner, clean antecedent as also the period of custody undergone by the petitioner, this Court is inclined to



grant bail to the petitioner.

7. 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 Sirdalla P.S. Case No. 184 of 2024.

(Rudra Prakash Mishra, J)

Alok Verma/-

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