

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61287 of 2024

Arising Out of PS. Case No.-156 Year-2024 Thana- KOTWA District- East Champaran

Bhupendra Kumar @ Mantu Singh S/O Bipin Bihari Kuwar Resident of
Village- Pokhara , P.S- Kotwa, District- East Champaran (Motihari)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Sinha, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 10-09-2024 Heard learned counsel for the petitioner and learned A.P.P
for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Kotwa P.S. Case No. 156 of 2024 dated 29.05.2024 registered for the offences punishable u/ss384, 385, 387 read with Section 34 of the Indian Penal Code and u/ss 25(1-b)a, 26 and 35 of the Arms Act.

3. As per the prosecution case, 3 live cartridges and 1 empty cartridge were recovered from the possession of the petitioner. One country made pistol was also recovered from the possession of the co-accused, Sumant Kumar.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the



petitioner. It is further submitted that the petitioner has no concern with the alleged recovery. The petitioner has one criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 29.05.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Motihari in connection with Kotwa P.S. Case No. 156 of 2024, with the condition/s:-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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