

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58537 of 2024

Arising Out of PS. Case No.-1 Year-2024 Thana- BAHERA District- Darbhanga

Sumit Kumar @ Bigan Son of Arun Bhagat Resident of Village - Simri, P.S. -
Vidyapati Nagar, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satyaveer Jha

For the Opposite Party/s : Mr. Yogendra Kumar

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

ORAL ORDER

2 28-08-2024 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 Bahera P.S. Case No. 01 of 2024 dated 01.01.2024 registered for the offences punishable u/s 25(1-b)a, 26, 35 of the Arms Act.

3. As per the prosecution case, police stopped an Apache motorcycle which was being driven by the co-accused and the petitioner was the pillion rider. On search, a live cartridge, a mobile phone and Rs. 1500/- in cash were recovered from the possession of the petitioner.

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. The petitioner has no concern with the alleged recovery. The petitioner has three criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 01.01.2024.

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, Benipur, Darbhanga in connection with Bahera P.S. Case No. 01 of 2024, with a 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 cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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