

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60864 of 2024**

Arising Out of PS. Case No.-1 Year-2024 Thana- SHEKHPURA District- Sheikhpura

Mohan Kumar @ Vishal Kumar Son of Rajo bind R/O Vill.- Beldariya, P.S.-
Kusumbha, Dist.- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binay Kumar, Adv

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

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

ORAL ORDER

2 09-09-2024 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 Sheikhpura P.S. Case No. 01 of 2024 dated 01.01.2024 registered for the offences punishable u/s 25 (1-B) (a)/ 26 of the Arms Act.

3. As per the prosecution case, a country made pistol, a country made revolver and two bullets were recovered from the garbage adjacent to the wall of cattle shed of Mahendra Bind at the instance of the petitioner who was accused in Sheikhpura P.S. Case No. 900/2023.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



this case. The petitioner has no concern with the alleged recovery rather the recovery has been made from the Garbage kept near the cattle shed of the Mahendra Bind. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has one antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 12.01.2024.

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 and the nature of allegation levelled against the petitioner 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, Sheikhpura in connection with Sheikhpura 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 be cancelled.

(ii). If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bond.



7. The application stands allowed.

(Chandra Prakash Singh, J)

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