

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59771 of 2024

Arising Out of PS. Case No.-66 Year-2024 Thana- THAWE District- Gopalganj

Rohit Son Of Premchand Resident Of Village - P/7/17, P.S. - Mangolpuri,
District - Delhi

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate

For the Opposite Party/s : Mr. Satyendra Prasad, APP

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

ORAL ORDER

2 23-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with S.T.
No. 364 of 2024, arising out of Thawe P.S. Case No. 66 of 2024,
instituted for the offences punishable under Sections 25(1-b)a,
26 and 35 of the Arms Act.

3. The prosecution case, in short, is that, there is
allegation of recovery of three live cartridges and a magazine
from the possession of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this case. No
incriminating material has been recovered from the conscious
possession of the petitioner. Learned counsel for the petitioner
also submitted that the petitioner has got no concern with the



alleged recovery of magazine and three live cartridges. The petitioner is in custody since 12.03.2024 and has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted bail by this Court vide order dated 24.07.2024 and by a Co-ordinate Bench of this Court vide order dated 10.07.2024 passed in Cr. Misc. No. 46586 of 2024.

5. Learned APP 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, taking into account the period of custody undergone by the petitioner and claim based on parity, 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with S.T. No. 364 of 2024, arising out of Thawe P.S. Case No. 66 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

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