

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61188 of 2024

Arising Out of PS. Case No.-74 Year-2024 Thana- BARAUNI District- Begusarai

Vishwa Nath Kumar S/o Ranjeet Nishad @ Ranjeet Kumar R/o vill -
(Malhipur) Simariyaghat Bind Toli, P.S. - Barauni, (Chakiya O.P), Distt. -
Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Randhir Kumar No 1, Advocate
For the Opposite Party/s : Mr. Madhuri Lata, 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 Barauni (Chakiya O.P.)
P.S. Case No. 74 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, one country
made pistol has been recovered 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



further submitted that the petitioner has got no concern with the alleged recovery of country made pistol. The petitioner is in custody since 22.02.2024 and has got one criminal antecedent. There is no compliance of Section 100 of Cr.P.C. Other co-accused has been granted bail by this Court *vide* order dated 26-07-2024, passed in Cr. Misc. No. 39351 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 and taking into account 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Barauni (Chakiya O.P.) P.S. Case No. 74 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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