

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61954 of 2024

Arising Out of PS. Case No.-191 Year-2024 Thana- NAUBATPUR District- Patna

Deepak Kumar @ Dipu Kumar @ Dipu Son of Shyam Dev Ram Resident of
Village Badi Tenghrailla, P.S.- Naubatpur, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate

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

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

ORAL ORDER

2 30-08-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in Naubatpur P.S. Case
No. 191 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
recovery of one live cartridge 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 no concern with the with the recovered arms. The petitioner is in custody since 01.04.2024 and has got two criminal antecedents. 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 14.08.2024 passed in Cr. Misc. No. 55277 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 Naubatpur P.S. Case No. 191 of 2024.

(Rudra Prakash Mishra, J)

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