

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66681 of 2024

Arising Out of PS. Case No.-44 Year-2024 Thana- HASANPUR District- Samastipur

Monu Kumar Son of Rampukar Yadav Resident of Village - Jagarnathpur, P.S.
-Hasanpur, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sameer Sawarn, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 01-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Hasanpur P.S. Case No. 44 of 2024, registered on 16.04.2024 for the alleged offences under Sections 25(1-B)a, 26 and 35 of the Arms Act.

3. As per prosecution case, during raid being conducted in Hasanpur P.S. Case No. 43 of 2024, the petitioner and co-accused were apprehended from the Panchayat Bhawan. From possession of the petitioner, a loaded country made katta was recovered whereas from co-accused one live cartridge was recovered.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case as the petitioner has made protest against the police personnel before the Bihar Human Rights Commission. Police has arrested the petitioner making out a false story in order to teach the petitioner lesson for filing complaint before the Bihar Human Rights Commission. The allegation of recovery of a loaded country made katta is false and concocted and there is no independent witness to the occurrence. Learned counsel further submits that the petitioner is having antecedent of three cases and he is on bail in one of these cases. The petitioner is in custody since 17.04.2024 and charge sheet has been submitted.

5. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that the petitioner is having antecedent of similar nature of offence apart from other cases.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. IV, Rosera



(Samastipur)/concerned Court in connection with Hasanpur P.S.
Case No. 44 of 2024, subject to the conditions mentioned in
Section 437(3) of the Code of Criminal Procedure and also the
following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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