

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63763 of 2024**

Arising Out of PS. Case No.-10 Year-2024 Thana- SAHIYARA District- Sitamarhi

Kundan Das Son of Dharikshan Das Village - Matiyar Khurd, P.S.- Sahiyara,
District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Narendra Kumar Singh, 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 connection with
Sahiyara P.S. Case No. 10 of 2024 instituted for the offences
under Sections 399, 402 of the IPC and Sections 25(1-b)a, 26,
35 of the Arms Act.

3. Prosecution case, in short, is that there is a recovery
of one country-made pistol and one live cartridge from the
possession of this petitioner.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious
possession of the petitioner. Learned counsel further submitted



that petitioner has got no concern with the recovered arms and ammunitions. Charge-sheet has been submitted in this case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 22.01.2024 and has one criminal antecedent. There is no compliance of Section 100 of the Cr.P.C. The co-accused person has already been granted bail by this Bench vide order dated 29.04.2024 passed in Cr. Misc. No. 27905 of 2024.

5. Learned A.P.P. 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, claim based on parity as also 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sahiyara P.S. Case No. 10 of 2024.

(Rudra Prakash Mishra, J)

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