

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.66375 of 2024**

Arising Out of PS. Case No.-77 Year-2024 Thana- KARAHGAR District- Rohtas

Dharmendra Kumar S/o Kameshwar singh R/o vill - Reriya, P.S. - Kargahar,  
Distt. - Rohtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate  
For the Opposite Party/s : Mr. Madhuri Lata, APP

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

ORAL ORDER

2      20-09-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in Kargahar P.S. Case No.  
77 of 2024, instituted for the offences punishable under Sections  
353 of the Indian Penal Code and 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 also submits that the petitioner has got no concern with the alleged recovery of arms. The petitioner is in custody since 07.03.2024 and has got one criminal antecedent in which he is on bail. 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 07.08.2024 passed in Cr. Misc. No. 54133 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 Kargahar P.S. Case No. 77 of 2024.

**(Rudra Prakash Mishra, J)**

Rajorshi/-

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