

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67244 of 2024

Arising Out of PS. Case No.-120 Year-2024 Thana- FALKA District- Katihar

Sunil Kumar @ Mithu S/o Krishnadeo Mishra R/o vill - Sohtha, P.S. - Falka,
Distt- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar Singh, Sr. Adv. Mr. Manish Kumar Singh, Adv.
For the Opposite Party/s	:	Mr. Uday Pratap Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 01-10-2024 Heard learned senior counsel for the petitioner and
learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Falka P.S. Case No. 120 of 2024, registered for the offences under Sections 25(1-b)a, 26 and 27 of the Arms Act.

3. As per the prosecution case, police received information about a person opening fire in air and on seeing the police party that person started running away but was chased and apprehended and the petitioner is the said person. From the possession of the petitioner recovery of a country made *katta* along with an empty cartridge stuck in the barrel was found and one live cartridge was also recovered from the pocket of the



petitioner.

4. Learned senior counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case and no recovery of any firearm or ammunition has been made from the petitioner. Petitioner is having clean antecedent. Charge sheet has been submitted against the petitioner and he is in custody since 29.06.2024.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the clean antecedent of the petitioner, submission of charge sheet and the period of custody of the petitioner, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-VIII, Katihar/concerned court, in connection with Falka P.S. Case No. 120 of 2024, subject to the condition laid down under Section 437(3) of the code of Criminal Procedure and other 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 below, if so required by the learned trial court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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