

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71792 of 2024

Arising Out of PS. Case No.-697 Year-2023 Thana- SAUR BAZAR District- Saharsa

Nandan Mukhiya S/o Siyasharan Mukhiya R/o Village- Arsi ward No.4, P.S.-
Sonbarsa Raj (Kash Nagar O.P.), District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md. Harun Quareshi, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

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

ORAL ORDER

2 21-10-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in Sour Bazar (Patarghat O.P.) P.S. Case No. 697 of 2023, instituted for the offences punishable under Sections 413, 414 of the Indian Penal Code and Sections 25(1-B)(a) and 26 of the Arms Act.

3. The prosecution case, in short, is that, one loaded country made pistol along with one stolen motorcycle and a stolen mobile phone have 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 further submits that the petitioner has got no concern with the alleged recovery of arms, motorcycle and mobile phone. The petitioner is in custody since 10.11.2023 and has got one criminal antecedent in which he is on bail. There is no compliance of Section 100 of Cr.P.C.

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 and taking into account 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sour Bazar (Patarghat O.P.) P.S. Case No. 697 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date



fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Rajorshi/-

U		T	
---	--	---	--

