

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71958 of 2024

Arising Out of PS. Case No.-188 Year-2024 Thana- PARIHAR District- Sitamarhi

Pintu Kumar @ Pinku Kumar S/o- Ram Swarth Mahto Village- Dharharwa
PS-Parihar Distt- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ritesh Kumar Narain Singh, Advocate
For the Opposite Party/s : Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 03-10-2024 Heard Learned Counsel for the petitioner and
Learned Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Parihar P.S. Case No.188 of 2024, lodged on 18.06.2024, under
Section 414 of the Indian Penal Code and under Sections 25(1-
b)A/26/35 of the Arms Act.

3. As per the prosecution, FIR has been lodged against
two named accused persons including the present petitioner.
From the possession of accused No.1 one country-made loaded
Sixer has been recovered and from the possession of petitioner
one live cartridge has been recovered.

4. Learned Counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits
that petitioner is in custody since 19.06.2024 having no criminal



antecedent. Counsel submits that only one live cartridge has been recovered from the possession of the petitioner and live cartridge alone does not come within the purview of Arms Act. Counsel submits that antecedent of the petitioner is clean and age is only 20 years.

5. Learned Counsel for the State opposes the prayer for bail and submits that the petitioner has not been caught alone; rather another co-accused has been arrested from whose possession country-made loaded Sixer has been recovered.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner, above named, be granted bail **only after framing of the charge, if not framed**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Sitamarhi, in connection with Parihar P.S. Case No.188 of 2024, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure.

(Dr. Anshuman, J.)

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