

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74938 of 2024**

Arising Out of PS. Case No.-271 Year-2024 Thana- FATEHPUR District- Gaya

Shankar Kumar S/o Rajendra Mistri R/o Village- Manjhauli, P.S.- Parnadabar,
District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Pranav Kumar, APP

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

ORAL ORDER

2 25-10-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Fatehpur P.S. Case No. 271 of 2024 instituted for the offences
under Sections 25(1-b)a, 26, 35 of the Arms Act.

3. Prosecution case in short, is that, one pistol has
been recovered under the bed of the co-accused. On opening the
same, it was found loaded with magazine in which one live
bullet was also recovered.

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. It has been submitted on behalf of the petitioner that the petitioner is in custody since 10.05.2024 and has no criminal antecedent. There is no compliance of Section 100 of the Cr.P.C. Other co-accused has been granted bail by this Court *vide* order dated 04-09-2024, passed in Cr. Misc. No. 60716 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, nature of allegation 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 Fatehpur P.S. Case No. 271 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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