

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.78741 of 2024**

Arising Out of PS. Case No.-249 Year-2024 Thana- HAJIPUR SADAR District- Vaishali

Akhilesh Kumar Son of Bholi Sahni Resident of Village- Ismilpur, PS-  
Hajipur Sadar, Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Kumar Samarjeet Singh, Advocate  
For the Opposite Party/s : Mr. Umesh Lal Verma, APP

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

ORAL ORDER

2      11-11-2024                                      Heard learned counsel for the petitioner and  
learned APP for the State.

2. The petitioner seeks bail in Hajipur Sadar P.S. Case No. 249 of 2024, instituted for the offences punishable under Sections 414, 399, 402 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, there is recovery of one country made pistol along with one live cartridge 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 and the alleged recovery has been made from the possession of co-accused Manish Kumar. The petitioner is in custody since 20.04.2024 and has got two criminal antecedents 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 Hajipur Sadar P.S. Case No. 249 of 2024.

**(Rudra Prakash Mishra, J)**

Rajorshi/-

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