

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75868 of 2024

Arising Out of PS. Case No.-73 Year-2024 Thana- NOWKOTHI GARHPURA District-
Begusarai

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Prince Kumar @ Bhulla S/o- Pankaj Sharma Resident of Village-
Babhangama PS- Nowkhoti Disrtict- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Adv.
Ms. Rani Shashi Bharti, Adv.
For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 23-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Nowkothi P.S. Case No. 73 of 2024 instituted for the offences
under Sections 27(1-B) (a), 26, 35 of the Arms Act.

3. As per prosecution case, the police has recovered
one country-made *Katta* from the field of maize in front of the
house of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
He further submits that nothing incriminating has been
recovered from the conscious possession of the petitioner rather



the recovery has been made from the maize field and, that too, at the instance of the co-accused Gaurav Kumar. In the entire investigating, nothing has come against the petitioner. He further submits that earlier in Nowkhothi P.S. Case No. 71 of 2024, the petitioner was made accused on suspicion and, after arrest in the aforesaid case, the police has also dragged him in the present case. The petitioner has no concern with the alleged occurrence. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case. The petitioner has one criminal antecedent. Though the petitioner was arrested on 05.05.2024 but, in this case, he was remanded in judicial custody on 04.06.2024. Charge-sheet has been submitted against the petitioner bearing charge sheet no. 154/24 on 29.07.2024 under Sections 25(1-B)a, 26/35 of the Arms Act.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, 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 Nowkothi P.S. Case
No. 73 of 2024.

(Rudra Prakash Mishra, J)

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