

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76450 of 2024

Arising Out of PS. Case No.-297 Year-2022 Thana- KHAJEKALA District- Patna

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Gopi Kumar Thakur S/O Late Gopal Lal R/O Mohalla - Bag Kalu Kha, P.S -
Khajekalan, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Kumar, Advocate

For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

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

ORAL ORDER

2 24-10-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. Learned counsel for the petitioner is permitted to
make necessary correction/s in paragraph No. 6 of the bail
application during course of the day.

3. The petitioner seeks bail in connection with S.T.
Trial No. 603 of 2024 arising out of Khajekalan P.S. Case No.
297 of 2022 instituted for the offence under Sections 399 & 402
of the Indian Penal Code and Sections 25(1-B)a, 26 & 35 of the
Arms Act.

4. Prosecution case in short is that on the basis of
secret information regarding assembly of anti-social elements,
police party raided at '*Khajekalan Ghat*', from where, there is



recovery of one loaded country made pistol, two live cartridges and two mobile phones from the possession of the petitioner.

5. It has been submitted on behalf of the petitioner that the petitioner is in custody since 26-09-2022. Petitioner bears seven criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

6. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. It is submitted that no incriminating article has been recovered from the conscious possession of the petitioner. Petitioner has no concern with the recovered arms. There is no compliance of Section 100 of the Cr.P.C.

7. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

8. Considering the aforesaid facts and circumstances of the case and period of custody of the petitioner, this Court is inclined to grant bail to the petitioner.

9. 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 S.T. Trial No. 603 of 2024 arising out of Khajekalan P.S. Case No. 297



of 2022, 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)

Raj Kishore/-

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