

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80942 of 2024

Arising Out of PS. Case No.-586 Year-2024 Thana- GAYA MUFASIL District- Gaya

GOLU KUMAR @ NIKHI RAJ @ NIKHIL KUMAR S/o DINESH
MALAKAR @ DINESH KUMAR R/o MOHALLA- MANPUR, KALI
POKHAR, P.S.- MUFASSIL, DISTRICT- GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Adv

For the Opposite Party/s : Mr. Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 26-11-2024 Heard Mr. Sharda Nand Mishra, learned counsel for
the petitioner and Dr. Indihar Kumari representing the State.

2. The petitioner is in judicial custody in connection with Mufassil (Gaya) P.S. Case No. 586 of 2024 for the offences punishable under Sections 25(1-b)a, 26 and 35 of the Arms Act, lodged on 11.07.2024.

3. As per the prosecution story, the informant upon information apprehended two accused persons including the petitioner there is recovery/seizure of country made revolver with live cartridge, which led to the arrest, FIR.

4. Learned counsel for the petitioner submits that he is a student, has no criminal antecedent, the police implicated, for which he has already remained in custody since 11.07.2024



(para 14 of the petition).

5. Learned APP for the State opposes the prayer submitting that country made revolver has been recovered along with live cartridges.

6. Having gone through the submissions put forward by the parties, allegation is there, the petitioner is a young boy, is in custody since 11.07.2024 having no criminal antecedent, FIR lodged, he will facing the trial, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned C.J.M. Gaya in connection with Mufassil (Gaya) P.S. Case No. 586 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned



police station every fortnight for next one year to mark his attendance;

(iv) the petitioner shall in now way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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