

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81608 of 2024

Arising Out of PS. Case No.-109 Year-2024 Thana- KANHAULI District- Sitamarhi

Santosh Pandey S/O Rajendra Pandey Resident of Village- Vishanpur,
Addhar, P.S.- Kanhauli, Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dwij Raj, Advocate

For the Opposite Party/s : Mr. Kalyan Shankar, APP

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

ORAL ORDER

2 03-12-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in Kanhauli P.S. Case No.
109 of 2024, instituted for the offences punishable under
Section 317(5) of the Indian Penal Code, Sections 25(1-B)(a),
26 and 35 of the Arms Act.

3. The prosecution case, in short, is that, the petitioner
along with other co-accused persons were apprehended with a
stolen motorcycle. It is also alleged that two live cartridges have
been recovered 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. No incriminating material has been recovered from



the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner has got no concern with the alleged recovery of arms. It is further submitted that the petitioner has got no relation with the alleged motorcycle recovered in this case. The petitioner is in custody since 12.08.2024 and has got one criminal antecedent.

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 Kanhauli P.S. Case No. 109 of 2024.

(Rudra Prakash Mishra, J)

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