

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.81918 of 2023**

Arising Out of PS. Case No.-368 Year-2023 Thana- SAHPUR District- Bhojpur

=====

PRADEEP KUMAR@ P.S. SAMRAT S/O LATE SURENDRA PASWAN  
VILLAGE- CHHOTKI CHANDA, PS. KOILWAR, DIST. BHOJPUR (ARA)  
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr.Om Prakash Upadhyay, Adv.  
For the Opposite Party/s : Mr.Pushpa Sinha.1, APP

=====

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

3      05-03-2024                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with  
Shahpur P.S. Case No.368 of 2023 lodged under Section 414 of  
the I.P.C. read with Sections 25(1-b)a/ 26 and 35 of the Arms  
Act.

3. As per the prosecution case, the F.I.R. has been  
lodged against two named accused persons from whose  
possession, the arms and motorcycle have been recovered  
whose documents has not been shown by them.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and has committed no offence. He submits  
that the name of petitioner has figured in this case at the  
instance of police due to the reason that his antecedent is not  
clean.

5. Counsel for the petitioner submits that petitioner is



in custody since 12.08.2023 having 5 criminal antecedent in which he is on bail in some cases and in some cases, he is persuading for bail.

6. Counsel further submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him.

7. Upon specific query whether charge has been framed or not. Counsel submits that he is not aware of framing of charge.

8. Learned counsel for the State opposes the prayer for bail and submits that at the consideration of bail, antecedent of the petitioner may be taken into consideration.

9. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail, **but 2 months after framing of charge, if not framed**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1<sup>st</sup> Bhojpur at Ara in connection with Shahpur P.S. Case No.368 of 2023, subject to the following conditions as laid down under Section 437(3) of Cr.P.C.

**(Dr. Anshuman, J.)**

Prakashmani/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

