

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81039 of 2024

Arising Out of PS. Case No.-10 Year-2024 Thana- Banma Itahari District- Saharsa

Hira Kumar S/O Sri Pandav Yadav Resident of Vill.- Murli, P.S- Banma
Ithari, Dist.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand, Advocate

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

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

ORAL ORDER

2 22-11-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Banma Ithari P.S. Case No. 10 of 2024 instituted for the
offences under Sections 25(1-b)a, 26, 30, 35 of the Arms Act.

3. As per prosecution case, there is recovery of two
rifles, one countrymade pistol along with twenty five cartridges
from the house of the co-accused Jaijairam Yadav.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious
possession of the petitioner. Learned counsel further submitted
that petitioner has got no concern with the recovered arms and



ammunitions. Charge-sheet has been submitted in this case. It has been submitted on behalf of the petitioner that the petitioner has no criminal antecedent. There is no compliance of Section 100 of the Cr.P.C. The co-accused person has already been granted bail by this Bench vide order dated 14.08.2024 passed in Cr. Misc. No. 55305 of 2024.

5. Learned A.P.P. 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, let the petitioner, above named, in the event of arrest/surrender before the lower court within a period of six weeks from today, be released on anticipatory 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 Banma Ithari P.S. Case No. 10 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

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