

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82152 of 2023

Arising Out of PS. Case No.-58 Year-2023 Thana- UDAKISHUNGANJ District- Madhepura

Om Prakash Thakur @ Om Prakash Sharma Son of Late Sukhdeo Thakur, R/o
Village- Sonvarsha, Ward No.1, P.S.- Uda Kishunganj, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Sanjay Kumar Singh, Advocate.

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

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 09-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Uda Kishunganj P.S. Case No.58 of 2023, registered for the
offences punishable under Sections 25(1-B)a, 25(1-AA), 25(1-
A), 26(1)(2) & 35 of the Arms Act.

3. As per the prosecution case, on information that
petitioner alongwith co-accused persons are preparing country
made fire arms at there residential houses and are supplying the
same to the inter district criminals a raid was conducted and one
big countrymade musket, screen touch mobile set from the
possession of co-accused Sangita Devi were recovered. Her
house was searched and various prepared and semi prepared
were recovered. Darpan Devi was also apprehended and one



desi katta and semi related articles were recovered from her house.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that petitioner was not arrested from the spot and no incriminating materials have been recovered from the possession of petitioner. He also submits that there is no compliance of mandatory provision of Section 100 of Cr.P.C. Learned counsel submits that similarly situated co-accused persons have already been granted bail by the Co-ordinate Bench of this Court vide orders dated 15.09.2023 & 06.11.2023 passed in Cr. Misc. No.60893 of 2023 & Cr. Misc. No.70400 of 2023. He further submits that petitioner has no criminal antecedent and he is in jail custody since 08.08.2023.

5. Learned APP for the State has opposed the prayer for regular bail of the petitioner.

6. Considering the facts and circumstances of the case and the submissions of learned counsel for the parties, let the petitioner, above named, 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 learned A.C.J.M.-1, Uda Kishunganj, Madhepura in connection with Uda



Kishunganj P.S. Case No.58 of 2023.

(Sunil Dutta Mishra, J)

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