

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83200 of 2023

Arising Out of PS. Case No.-263 Year-2020 Thana- KASIMBAZAR District- Munger

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NISHANT KUMAR @ KARELAL SON OF LATE RAM NARESH SINGH
RESIDENT OF VILLAGE- JAIPUR, P.S. BARAHIYA, DISTRICT-
LAKHISARAI

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Devendra Prasad Singh, Adv.

For the Opposite Party/s : Mr.Mohammed Arif, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 19-04-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in S.Trial Case No. 121A of 2022 arising out of Kasim Bazar P.S. Case No. 263 of 2020 dated 25.09.2020 registered for the offences punishable u/ss 25 (1-A), 25(1-AA), 25 (1-b)a, 26(i)(ii), 35 of the Arms Act.

3. As per the prosecution case, four miscreants were arrested and 17 country made weapons as well as cartridges were recovered from their possession. The apprehended persons disclosed the name of the petitioner as the supplier of illegal arms.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. No incriminating material has been recovered from the conscious possession of the petitioner. The petitioner is stated to be the supplier of the seized arms. Similarly situated co-accused has already been granted anticipatory bail by this court *vide* order dated 22.01.2024 passed in Cr. Misc. No. 72892 of 2023. The petitioner has 13 other criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 29.10.2021.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Munger in S.Trial Case No. 121A of 2022 arising out of Kasim Bazar P.S. Case No. 263 of 2020, with the condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date,



failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to cancelled.

(ii). If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bond.

7. The application stands allowed.

(Chandra Prakash Singh, J)

guddukr/-

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