

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85911 of 2024

Arising Out of PS. Case No.-279 Year-2024 Thana- BELDOUR District- Khagaria

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Divesh kumar Sah @ Devesh Kumar Sah @ Davesah S/o Late Rajpati Sah R/o
vill - Pachaut, P.S. - Beldaur, Distt.- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mrs. Renu Kumari, APP

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

ORAL ORDER

2 10-12-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in Beldaur P.S. Case No.
279 of 2024, instituted for the offences punishable under
Sections 25(1-B)A, 25(1-AA), 26 and 35 of the Arms Act.

3. The prosecution case, in short, is that, recovery of
220 live cartridges have been made from the possession of the
petitioner along with other co-accused person.

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 huge number of ammunition. The petitioner is in custody since 31.07.2024 and has got one criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted bail by this Court vide order dated 11.11.2024 passed in Cr. Misc. No. 78745 of 2024.

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, taking into account the period of custody undergone by the petitioner and claim based on parity, 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 Beldaur P.S. Case No. 279 of 2024.

(Rudra Prakash Mishra, J)

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