

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84977 of 2024

Arising Out of PS. Case No.-106 Year-2024 Thana- GADHPURA District- Begusarai

Saurav Kumar @ Solger S/O Nanku Yadav R/O Village- Garh Vijay Narayan,
P.S- Garhpura, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeet Kumar, Adv.

For the Opposite Party/s : Mr.Anish Chandra, APP

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

ORAL ORDER

2 09-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Godhpura P.S. Case No. 106 of 2024 (G.R. No. 3898 of 2024)
instituted for the offences under Sections 317(5), 3(5) of the
B.N.S., 2023 and Section 25(1-B)a, 26, 35 of the Arms Act.

3. As per prosecution case, the police has recovered
one country-made pistol from the possession of the petitioner.
The police has also seized a motorcycle from the house of the
petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.



The petitioner is not the owner of the seized motorcycle. The name of the petitioner has surfaced in this case on the basis of the confessional statement of the co-accused persons namely Amit Kumar, Dilip Kumar and Abhishek Kumar. Learned counsel for the petitioner submits that the petitioner works as a recovery Agent for the finance company namely Singh Repo Agency from where recovered motorcycle was financed and the installment was not being paid. He again submits that the seized motorcycle was kept in his house for depositing the same in the yard of the said company. There is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The petitioner has no concern with the alleged occurrence. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has no criminal antecedent and is languishing in judicial custody since 07.09.2024 without any rhymes or reason. Charge-sheet has been submitted in this case.

5. Learned counsel for the petitioner again submits that the co-accused namely Ranjan Kumar @ Ranjan Kumar Pal @ Ranjan Ranjan Pal has already been granted bail by this Court vide order dated 12.11.2024 passed in Cr. Misc. No. 79261 of 2024.



6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, be released on 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 Godhpura P.S. Case No. 106 of 2024 (G.R. No. 3898 of 2024).

(Rudra Prakash Mishra, J)

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