

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84018 of 2024

Arising Out of PS. Case No.-744 Year-2024 Thana- JAHANABAD District- Jehanabad

Mukesh Kumar S/O Rambali Ravidas R/O Village- Barhanpura, PS- Hilsa,
Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Kumar, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

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

ORAL ORDER

2 06-12-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with Jehanabad P.S. Case No. 744 of 2024, instituted for the offences punishable under Sections 310(4), 310(5) of the Bharatiya Nyaya Sanhita, 2023 and Sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. The prosecution case, in short, is that, on the basis of secret information that some miscreants were planning to commit loot, raided the place of occurrence and apprehended three accused persons including this petitioner. On search, a country-made pistol, one live cartridge, four android mobiles and tempo were recovered.



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 no any arms have been recovered from the possession of the petitioner except one mobile phone which belongs to the petitioner. The petitioner is neither owner nor driver of the tempo in question. Co-accused Niranjana Kumar is the driver of the said vehicle. The petitioner was a passerby of that way and was arrested on the basis of suspicion. The petitioner is in custody since 22.09.2024 and has got no criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 14.11.2024 passed in Cr. Misc. No. 79733 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 Jehanabad P.S. Case No. 744 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

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