

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83534 of 2024

Arising Out of PS. Case No.-227 Year-2024 Thana- SHAMBHUGANJ District- Banka

Prince Kumar @ Prince Kumar Singh S/O Birendra Singh @ Virendr Singh
R/O Village- Kushaha, P.S- Shambhuganj, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Jha, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, 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 Shambhuganj P.S. Case No. 227 of 2024, instituted for the offences punishable under Sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. The prosecution case, in short, is that, there is recovery of one country made pistol and one live cartridge from the possession of the petitioner.

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 arms. The petitioner is in custody since 30.07.2024 and has got one criminal antecedent in which he is on bail. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted bail by this Court vide order dated 23.10.2024 passed in Cr. Misc. No. 75212 of 2024. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

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 Shambhuganj P.S. Case No. 227 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

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