

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11192 of 2024

Arising Out of PS. Case No.-311 Year-2023 Thana- GAURICHAK District- Patna

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Ramesh Kumar @ Munna Singh @ Munna S/o- Shailendra Singh R/o
Village- Shrinagar, Fatehpur, P.S- Didarganj, Dist- patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar Choudhary, Adv

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 12-07-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner apprehend his arrest in connection with Gaurichak P.S.Case No. 311 of 2023 dated 26.05.2023 instituted for the offence punishable under Sections 120B of the Indian Penal Code and Section 25(1-b) a, 26,35 of the Arms Act.

3. The prosecution case, in short, is that a mini gun factory run by Deepak Singh with his associated, in newly constructed house. When the informant reached at the house of Vinod Singh, saw police party some people fleeing away. The police raided the house of Md. Ahsan and Md. Chunna and recovered 114 piece articles including reti, die machine etc and all the articles used in manufacturing of arms.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this



case. It is further submitted that nothing has been recovered from conscious possession or from the house of the petitioner. From perusal of the seizure list, it is evident that the seized article is recovered from newly constructed house of Vinod Singh. It is further submitted that there is no connection between the house of Vinod Singh or the house of Md. Chunna and Md. Ahsan from where the articles were recovered. The petitioner is made accused only on the basis of confessional statement of Md. Ahsan and Md Bashir. There is no material against the petitioner except the confessional statement of the co-accused persons. It is submitted that co-accused Sintu Devi has already been granted bail in Cr. Misc. No.2835 of 2024 vide order dated 07.02.2024. The petitioner has one criminal antecedent.

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

6. Having considered the facts and circumstances of the case and submissions of the learned counsel for the parties, in the event of arrest/ surrender of the petitioner within a period of six weeks from today, in connection with Gaurichak P.S.Case No. 311 of 2023 he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with



two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate- VI, Patna City, Patna or appropriate Court Below, subject to condition as laid down under Section 438(2) of the Cr.P.C and further (i) that the petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below(ii) that one of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife, (iii) that the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse, and (iv) that if the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

7. The application stands allowed.

(Khatim Reza, J)

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