

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.228 of 2024

Arising Out of PS. Case No.-600 Year-2023 Thana- LAKHISARAI District- Lakhisarai

Kumar Govinda S/O - Ashok Kumar Resident Of Kabaiya Road,
Vyayamshala Gali, Ward No.25, P.S. Kabaiya (O.P.), District Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surya Narayan Sah

For the Opposite Party/s : Mr.Jharkhandi Upadhyay

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 25(1-b)A, 25(1-AC), 26(1) and 35 of the Arms Act and Section 4/5 of Explosive Substance Act.

3. The prosecution case relates to recovery of one country made pistol and six live cartridges and one hand grenade from the house of the petitioner.

4. It is submitted by learned counsel for the petitioner that the petitioner is innocent and has committed no offence. He has falsely been implicated in the present case due to village politics. Nothing incriminating article has been recovered from his conscious possession. He has no concern with alleged arms



which were seized by the police. Both the seizure list witness are police personnel which is complete violation of Section 100 of Cr.P.C. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. The petitioner is languishing in judicial custody since 07.08.2023.

5. Learned APP appearing for the State has vehemently opposed the prayer for Bail.

6. Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail **after framing of charge, if not framed.** The above named petitioner is directed to be enlarged on bail in connection with Lakhisarai (Kabiya O.P.) P.S. Case No. 600 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Munger.

(Sunil Kumar Panwar, J)

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