

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6115 of 2025

Arising Out of PS. Case No.-175 Year-2024 Thana- SOHSARAI District- Nalanda

Balkant Kumar @ Chhotu Son of Keshav Ray @ Kesho Ray Resident of
Village - Budhara, P.S. - Athmalgola, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Prasad, Advocate

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

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

ORAL ORDER

2 13-02-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with Sohsaray P.S. Case No. 175 of 2024, instituted for the offences punishable under Sections 317(4), 317(5) of the Bharatiya Nyaya Sanhita, 2023, Sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. The prosecution case, in short, is that, during course of vehicle checking the police apprehended the petitioner along with other co-accused persons and recovered Rs. 40,000/- from the possession of the petitioner as well as two country made pistol along with eight live cartridges has been recovered from the possession of other co-accused persons.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the recovered money belongs to the petitioner. The petitioner has got no concern with the alleged recovery of arms. The petitioner is in custody since 25.07.2024 and has got two criminal antecedents. 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 and taking into account the period of custody undergone by the petitioner, 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 Sohsaray P.S. Case No. 175 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of



the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Rajorshi/-

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