

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7824 of 2025

Arising Out of PS. Case No.-426 Year-2024 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Shubham Kumar @ Kar Babu Son of Late Ram Sringar Chaudhary @ Late
Ram Singar Chaudhari @ Late Ramshrgaar Chaudhary village - Sherpur
Dhepura , Police station - Vidyapatinagar , District – Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mahendra Pratap, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 19-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in
connection with Samastipur Muffasil P.S. Case No. 426 of 2024
registered for the alleged offences under Sections 25(1-B), 26,
35 of the Arms Act.

03. As per prosecution case, during checking of
vehicles, two motorcycle borne person tried to run away on
seeing the police party. The person who was driving the
motorcycle was arrested after chase and another person fled
away from the spot. The petitioner is the apprehended person
and from his possession recovery of a country made pistol,
two live cartridges and two mobile phones were made and



the motorcycle was also seized. The petitioner disclosed the name of co-accused who escaped from the spot and further stated about his antecedent.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the person or possession of this petitioner. The articles shown to be recovered from the petitioner are planted one. The petitioner is having antecedent of 07 cases and he is in custody since 16.10.2024. Charge-sheet has been submitted.

05. Learned APP for the State opposes the prayer for bail. Learned APP submits that the petitioner is habitual offender and appears to be a member of a gang of criminals.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Samastipur in connection with Samastipur Muffasil P.S. Case No. 426 of 2024, subject to the conditions mentioned in Section



437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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