

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14183 of 2025

Arising Out of PS. Case No.-126 Year-2024 Thana- MUSRIGHRARI District- Samastipur

Om Prakash Kumar Kapar @ Duliya S/o Late Rama Nand Kapar @ Nand
Kapar R/o Village- Salampur, PS- Mushrigharari, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh, Advocate

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

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

ORAL ORDER

2 02-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Musarigharari P.S. Case No. 126 of 2024 instituted for the
offences under Sections 25(1-B)a, 25(1-AA), 26, 35 of the Arms
Act.

3. As per the F.I.R., police apprehended this petitioner
from the cattle shed of co-accused Atri Jha with a country-made
pistol.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious
possession of the petitioner. Learned counsel further submitted



that petitioner has got no concern with the recovered arms and ammunitions rather the recovery has been made from the cattle shed of co-accused Atri Jha. Charge-sheet has been submitted in this case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 28.08.2024 and has three criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned A.P.P. 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 as also 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Musarigharari P.S. Case No. 126 of 2024.

(Rudra Prakash Mishra, J)

Alok Verma/-

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