

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21703 of 2025

Arising Out of PS. Case No.-427 Year-2024 Thana- KANTI District- Muzaffarpur

Manoj Kumar Son of Rambabu Sah Resident of Village - Chhapra,
Dharampur Yadu, P.S. - Kanti, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

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

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

ORAL ORDER

2 23-04-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with Kanti
P.S. Case No. 427 of 2024, instituted for the offences punishable
under Sections 310(4), 310(5) of the Bharatiya Nyaya Sanhita,
2023 read with Sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. The prosecution case, in short, is that, the petitioner
along with other co-accused persons were found engaged in
making some planning and on being searched, one pistol loaded
with five cartridges along with one mobile phone was recovered
from the possession of co-accused Raja Kumar, one country
made pistol along with one live cartridge and one mobile phone
was recovered from the possession of the petitioner whereas one



mobile phone was recovered from the possession of co-accused, Upendra Kumar.

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 petitioner has got no concern with the alleged recovery of arms. The petitioner is in custody since 13.08.2024 and has got nine criminal antecedents in which he is on bail in all cases. 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 ***after framing of charge, if not already framed*** 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 Kanti P.S. Case No. 427 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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