

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25169 of 2025

Arising Out of PS. Case No.-294 Year-2024 Thana- KALYANPUR District- Samastipur

Ujjaval Kumar Shanu @ Sonu Kumar @ Ujjawal @ Ujjawal Kumar @ Sanu Kumar S/o Ashutosh Kumar Chandan @ Ashutosh Chandan @ Chandan Mishra R/o village - Tira Jatmalpur , Police station - Kalyanpur , District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 22-04-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Kalyanpur P.S. Case No. 294 of 2024 instituted for the offence under Sections 310(4), 310(5), 310(6) of the Bharatiya Nyaya Sanhita, 2023 and Sections 25(1-B)a, 26 & 35 of the Arms Act.

3. As per prosecution case, police on a tip off regarding assembly of anti-social elements conducted a raid and apprehended accused persons, wherein petitioner allegedly managed to fled away. On search, there is recovery of one country made pistol and three live cartridges from the possession of the co-accused, namely, Sonu Kumar.



4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 17-12-2024. Petitioner bears seven criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Nothing has been recovered from the possession of the petitioner, rather recovery is made from the co-accused, namely Sonu Kumar, who has been enlarged on bail by this Court vide order dated 03-04-2025, passed in Cr. Misc. No. 17510 of 2025. There is no compliance of Section 103 of the BNSS, 2023. Police after completion of investigation has submitted charge sheet

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, manner of petitioner's implication and claim based on parity, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail, *after framing of charge, if not already framed*, 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 Kalyanpur P.S. Case No. 294 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)

Raj Kishore/-

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