

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78920 of 2024

Arising Out of PS. Case No.-337 Year-2024 Thana- MIRGANJ District- Gopalganj

Golu Prasad @ Chunnu S/O Devendra Prasad R/O - Village, Main Matihani,
P.S. Mirganj, District Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vyas Kumar Mishra, Adv.

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

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

ORAL ORDER

3 28-01-2025 Heard learned counsel for the petitioner and learned APP for the State. Perused the case diary.

2. Learned counsel for the petitioner is directed to make necessary correction in the instant petition in course of the day.

3. The petitioner seeks bail in connection with Mirganj P.S. Case No. 337 of 2024 instituted for the offences under Section 317(5) of the B.N.S. and Section 25(1-b)a, 26 of the Arms Act.

4. As per prosecution case, the police, on the basis of the disclosures made by the petitioner, seized one country made pistol, live cartridges and



5-6 snatched mobile from the dickey of the motorcycle, kept towards the northern wall of the house of the petitioner beneath a tree.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case only on the basis of suspicion. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the seized article. The seized motorcycle belongs to his neighbour namely Rampravesh Sharma. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has one criminal antecedent and is languishing in judicial custody since 06.08.2024 without any rhymes or reason.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Having heard rival contention of both



the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, 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 Mirganj P.S. Case No. 337 of 2024.

(Rudra Prakash Mishra, J)

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