

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79753 of 2024

Arising Out of PS. Case No.-204 Year-2024 Thana- BAIKUNTHPUR District- Gopalganj

Ravi Kumar S/O Jamadar Prasad R/O Village- Pipra, P.S.- Baikunthpur,
District- Gopalganj

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr.Natraj Verma, Advocate
	Mr. Sachina, Advocate
For the Opposite Party/s :	Mrs.Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 18-01-2025 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. for the State.

2. Petitioner seeks bail in connection with

Baikunthpur P.S. Case No. 204 of 2024 registered for the

offences under Sections 412, 413 of the Indian Penal Code

and 25(1-B)(a), 26, 35 of the Arms Act.

3. The petitioner is named in the First Information

Report and is in custody since 28.06.2024.

4. Allegation against the petitioner is to have in

possession of one country made pistol along with one live

cartridge. It is also alleged that petitioner along with other

accused persons were also engaged in habitual dealing of

stolen property.



5. It is submitted by learned counsel appearing on behalf of the petitioner that country made pistol and live cartridge not appears to be recovered from conscious physical possession of this petitioner. It is pointed out that seizure list also appears disputed as same being supported by police constable, despite of availability of independent witnesses.

6. While concluding argument, it is submitted that petitioner was man of clean antecedent before lodging this case, but subsequently lodging this case, he was made accused in another criminal case almost of similar nature and, moreover, investigation of this case is already completed, for which charge-sheet has already been submitted and, as such, there is no chance of tampering with the evidence.

7. Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

8. Considering the facts and circumstances as mentioned above and by taking note of the fact that *prima-facie* recovery of fire-arms appears doubtful from conscious physical possession of the petitioner, coupled with the fact that petitioner is in custody since 28.06.2024 and



investigation of this case is completed, accordingly, above-named petitioner is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj/concerned court, in connection with Baikunthpur P.S. Case No. 204 of 2024, subject to the condition as laid down under Section 437(3) Cr.P.C/Section 480(3) of the Bhartiya Nyaya Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

Rajeev/-

U		T	
---	--	---	--

