

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80367 of 2024

Arising Out of PS. Case No.-226 Year-2024 Thana- MADHUBANI TOWN District-
Madhubani

Prakash Kumar Suraj Prasad Patwa @ Suraj Prasad Resident of Village-
Akhadaghat Road, P.S- Nagar, Distt.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr. Pushpa Sinha.1, APP

For the Informant : Mrs. Vaishnavi Singh, Advocate

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

ORAL ORDER

3 17-02-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State. Perused
the case diary.

2. The petitioner seeks bail in connection with
Madhubani (Town) P.S. Case No. 226 of 2024 instituted for the
offences under Sections 25(1-b)a, 26, 35 of the Arms Act.

3. Police on the basis of secret information raided the
rented house of the petitioner and recovered one country-made
pistol loaded with five live cartridges from the co-accused
Prakash Jha.

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 co-accused. Charge-sheet has been submitted in this case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 10.07.2024 and has one criminal antecedent. There is no compliance of Section 100 of the Cr.P.C.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, there being no recovery of arms and ammunitions from this petitioner 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 Madhubani (Town) P.S. Case No. 226 of 2024.

(Rudra Prakash Mishra, J)

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