

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81528 of 2024

Arising Out of PS. Case No.-454 Year-2024 Thana- SAHAYAK NAGAR District- Katihar

Kalua @ Gurudev Sah Son of Vishwanath Sah Resident of Nageshwarbagh,
P.S. - Purnia, District - Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 08-04-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 414, 399, 402, 323, 307, 353, 332 of the Indian Penal Code and Section 25(1-B)a/26/27/35 pf the Arms Act & 8(c)/21(a) of the NDPS Act.

3. The case of the prosecution is that from the possession of this petitioner, one country made pistol and 1.36 gm of smack was recovered. There is also allegation against the petitioner that he has fired at the police personnel.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It is also submitted that it is



mere an allegation that the petitioner has fired, nobody has received any injury. Similarly situated other co-accused person namely, Md. Afroj @ Md. Afjal has been granted bail by Co-ordinate Bench of this Court in Cr. Misc. No. 66976 of 2024. The case of this petitioner is of similar footing. It is further submitted that the petitioner is languishing in judicial custody since 29.06.2024.

5. Learned APP appearing for the state has opposed the prayer of regular bail and submits that the petitioner is having criminal antecedent of five cases.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Katihar Nagar Sahayak P.S. Case No. 454 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge, NDPS Act, Katihar.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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