

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86001 of 2024

Arising Out of PS. Case No.-195 Year-2024 Thana- PANDAU District- Madhubani

Pradeep Thakur S/o- Kari Thakur Village- Bhagwatipur P.S-Pandaul District- Madhubani

... .. Petitioner/s
Versus
The State of Bihar

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Ravi Prakash, Advocate
For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 10-01-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends arrest in connection with Pandaul P.S. Case No. 195 of 2024, registered under Section 309(6), 317(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 25(1-B)(a), 26 and 35 of the Arms Act.

3. The prosecution case, in short, is that, there is recovery of one country made pistol along with one live cartridge from the possession of co-accused, namely, Pramod Kumar Yadav. The police have recovered two motorcycles having no valid papers.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in the present case. Learned counsel for the petitioner also submits that the petitioner was not present at the place of occurrence. Name of the petitioner has transpired in this case on the basis of confessional statement made by co-accused, namely, Pramod Kumar Yadav and the same has got no evidentiary value. It is next submitted that the petitioner has got no concern with the alleged recovery of arms and motorcycle. The petitioner has got no criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 16.12.2024 passed in Cr. Misc. No. 85642 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Pandaul P.S. Case No. 195 of 2024, subject to the conditions as laid down under



Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita,
2023.

(Rudra Prakash Mishra, J)

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