

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88878 of 2024

Arising Out of PS. Case No.-149 Year-2024 Thana- YADOPUR District- Gopalganj

Gulshan Kumar Son of Jhublal Sahani @ Jhabulal Sahni @ Jhabbu Lal Sahani Resident of Village - Motihari Majuraha, P.S. - Raghunathpur O.P., District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rahul Singh, Adv.

For the Opposite Party/s : Mr.Tapeshwar Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 08-01-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Jadopur P.S. Case No. 149 of 2024, registered for the offences under Sections 25(1-B) (a) and 26 of the Arms Act.

3. As per the prosecution case, recovery of loaded *katta* with one cartridge was made from the petitioner.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case and nothing incriminating has been recovered from person or possession of the petitioner. The seizure list has not been prepared in accordance with law and



there is violation of Section 103 of the Bharatiya Nagarik Suraksha Sanhita while preparing the seizure list. The petitioner is in custody since 16.09.2024 and he has three criminal antecedents and he is on bail in all these cases. Charge sheet has been submitted against the petitioner.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner. Learned A.P.P. submits that the petitioner is having antecedent of similar nature.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the submission of charge sheet against the petitioner and period of custody, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1st, Gopalganj/concerned court, in connection with Jadopur P.S. Case No. 149 of 2024, subject to the condition laid down under Section 437(3) of the code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on



each and every date fixed by the below, if
so required by the learned trial court.

(iii) In case of absence on three
consecutive dates or in violation of the
terms of the bail, the bail bond of the
petitioner will be liable to be cancelled
by the court concerned.

(Arun Kumar Jha, J)

Anuradha/-

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