

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87524 of 2024

Arising Out of PS. Case No.-128 Year-2024 Thana- KOCHAS District- Rohtas

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Bholu Pandey @ Abhay Kumar Pandey @ Bhonu Pandey @ Abhay Pandey
S/O Late Surendra Pandey R/O Village- Mahauri, P.S- Kochas, Distt.- Rohtas,
Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Piyush Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Rajiv Nayan, APP

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

ORAL ORDER

2 15-01-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Kochas
P.S. Case No. 128 of 2024 instituted for the offence under
Sections 25(1-B)a, 26 & 35 of the Arms Act.

3. Prosecution case in short is that there is recovery of
two country made pistol and 35 live cartridges from the
possession of the petitioner.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 02-05-2024. Petitioner
bears no criminal antecedent, as per disclosure made in
paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's



counsel that petitioner has been falsely implicated in the present case. It is submitted that petitioner has no concern with the recovered arms. It is submitted that recovery is planted. Learned counsel next submits that police after investigation has already submitted charge sheet in this case. There is no compliance of Section 100 of the Cr.P.C.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and clean antecedent of the petitioner, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail, ***after framing of charge, if not already framed***, 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 Kochas P.S. Case No. 128 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two



consecutive dates, the Trial Court will have liberty to cancel the
bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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