

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10056 of 2019

Arising Out of PS. Case No.-525 Year-2018 Thana- DANAPUR District- Patna

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BHUWAR KUMAR @ ANAND KUMAR, Son of Late Shankar Sao, resident
of Village-Chhitnawan, P.S-Maner, District-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanchay Srivastava, Adv.

For the Opposite Party/s : Mr. Ramchandra Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-02-2019 Heard leaned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
06.08.2018 in a case registered for the offences punishable
under Sections 399 and 402 of the Indian Penal Code and
Sections 25(1-B)a, 26 and 35 of the Arms Act.

The prosecution case as per the written report of
Santosh Kumar, S.I., of Danapur P.S., submitted to the S.H.O.,
Danapur P.S. is to the effect that the informant received a secret
information that some miscreants are preparing to commit
dacoity. Whereupon, a raid was laid and on seeing the police



party, all the accused persons tried to flee away from the scene. On chase being made, four accused persons including the petitioner were apprehended and one accused person managed to escape from the scene. It is further alleged that from the possession of the petitioner, a loaded country made pistol and a mobile phone were recovered and same nature of recovery has also been made from the possession other co-accused persons.

It is submitted by learned counsel for the petitioner that nothing has been recovered from the possession of the petitioner and the investigation has already been concluded. It is further submitted that similarly situated co-accused persons namely, Rakesh Kumar @ Budha has been granted bail by a Co-ordinate Bench of this Court, vide order dated 20.12.2018 passed in Cr. Misc. No.76758 of 2018 and Santosh Kumar @ Bakariya has been granted bail by a Co-ordinate Bench of this Court, vide order dated 16.01.2019, passed in Cr. Misc. No.79879 of 2018. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP for the State submits that the recovery has been made from the possession of the petitioner.

Considering the period under custody, the



investigation being concluded and the fact that similarly situated co-accused persons being granted privilege of bail by Co-ordinate Benches of this Court, coupled with the statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on bail, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned **A.C.J.M.-I, Danapur** in connection with **Danapur P.S. Case No.525 of 2018.**

(Dinesh Kumar Singh, J)

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