

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21934 of 2019**

Arising Out of PS. Case No.-268 Year-2018 Thana- AHIYAPUR District- Muzaffarpur

VIPIN KUMAR @ VIPIN SINGH, aged about 37 years, Male, Son of Ram Kirpal Singh, Resident of Village - Anand Vihar Colony Sahbajpur, P.S.- Ahiapur, District – Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Sheo Kumar Prasad, Advocate.
For the Opposite Party : Mr. Prem Kumar Jha, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER**

2 12-04-2019 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner is languishing in custody since 16.03.2018 in a case for the offence registered under Sections 399, 402, 401, 412, 414 of the IPC, 25(1-b) a, 26 and 35 of the Arms Act.

The prosecution story, in brief, is that one Sumit Kumar was apprehended by the police who disclosed that the stolen solar plates are kept in the house of the petitioner and he was apprehended with one solar plate and according to him he was going to sell that solar plate at Motihari. Approximately 900 solar plates were recovered from the house of the petitioner.



Prayer for bail of the petitioner was earlier rejected by the then Co-ordinate Bench of this Court vide Cr. Misc. No. 46971 of 2018 order dated 01.08.2018 vide Annexure-1 to the present application, with liberty to renew his prayer for bail after six months. Hence, the present application has been preferred on behalf of the petitioner for grant of bail.

It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. 900 solar plates are alleged to have been recovered from the house of the petitioner. There is no recovery of arms from possession of the petitioner as per the seizure list. There is no compliance of Section 100 Cr. P.C.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, 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 the learned A.C.J.M.-4th, Muzaffarpur, in connection with Ahiapur P. S. Case No. 268 of 2018, corresponding to Sessions Trial No. 1741/2018, G.R.



No. 1220/2018.

(Sudhir Singh, J)

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