

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 36113 of 2019

Arising Out of PS. Case No.-91 Year-2019 Thana- Vaishali District- Vaishali

Prakash Kumar Aged about 20 years (Male) Son of Awadhesh Prasad Singh
Resident of Village- Jagdishpur, P.O.- Jarang Rampur, P.S.- Vaishali (O.P.
Belsar), District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur
Mr. Pramod Kumar
For the Opposite Party/s : Mr. Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 10-06-2019 Heard Sri Hari Kishore Thakur, learned counsel
assisted by Sri Pramod Kumar, learned counsel for the petitioner
and Sri Mukesh Kumar Singh, learned Addl. Public Prosecutor.

The sole petitioner, who is in custody since
09-03-2019, as stated in paragraph – 9 of the petition, in
Vaishali (Belsar O.P) P.S. Case No. 91 of 2019 registered for
offence under Sections 399, 401, 402 of the Indian Penal Code
and Sections 25(1-b)a, 26, 35 of the Arms Act, 1959, has prayed
for grant of bail.

It was submitted by learned counsel for the petitioner
that after the petitioner was made accused in the present case, he
was made accused in other case also. He further submits that
ofcourse the petitioner was apprehended alongwith other



accused persons, but nothing was recovered from the possession of the petitioner. Save and except recovery of the mobile phone, no arms was recovered from the petitioner, however; a case was made out, as if, petitioner was one of the member of the accused persons, who were preparing for committing *dacoity*.

Learned Addl. Public Prosecutor has opposed the prayer for bail.

Besides hearing, I have also perused the material on record and after going through the same and considering the fact that nothing has been recovered from the possession of the petitioner, there is no reason to further detain the petitioner.

Let the petitioner namely Prakash Kumar be enlarged 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 Chief Judicial Magistrate, Vaishali at Hajipur, District – Vaishali in connection with Vaishali (Belsar O.P) P.S. Case No. 91 of 2019.

(Rakesh Kumar, J.)

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