

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.37524 of 2019

Arising Out of PS. Case No.-19 Year-2019 Thana- TIKAPATTI District- Purnia

BRAJESH KUMAR S/O- Shyamdeo Yadav Resident of Village- Navin
Nagar, Ponama, P.S. Kadwa (O.P. Dholbazza), District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisuzzoha

For the Opposite Party/s : Mr.Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 04-07-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner has prayed for grant of bail in connection with Tikapatti P.S. Case No.19 of 2019 registered for offence under Section 414 of the Indian Penal Code and Sections 25 (1-b) a, 26 and 35 of the Arms Act.

The allegation as per the F.I.R. is that on receiving information the informant reached the place of occurrence where he caught three accused persons along with their motor cycles while they attempted to escape. One of the three happened to be the petitioner. It is alleged that the three persons were searched in presence of independent witnesses and



various articles and arms were recovered whereas so far as the petitioner is concerned, a mobile was recovered from his possession.

It is submitted on behalf of learned counsel for the petitioner that no incriminating article has been recovered from them. Even as per the F.I.R., a mobile has been recovered from possession of the petitioner who is in custody since 20.02.2019. Further co-accused Dilkhush Kumar has been enlarged on bail by this Court vide order dated 28.05.2019 passed in Cr.Misc. No.35095 of 2019 and the case of the petitioner stands on better footing than the case of co-accused Dil Khush Kumar.

The application for bail is opposed by the learned counsel for the A.P.P..

Having heard the counsel appearing for the parties and taking into consideration that only mobile was recovered from possession of the petitioner and co-accused Dilkhush Kumar was enlarged on bail by an order which is on the record as Annexure - 2 to the application, this Court is inclined to enlarge the petitioner on bail. The petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of C.J.M., Purnea, in Tikapatti P.S.Case No.19 of



2019.

(Partha Sarthy, J)

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