

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.81751 of 2019

Arising Out of PS. Case No.-199 Year-2019 Thana- BHANGWANPUR HAT District- Siwan

ABHISHEK KUMAR S/o Satyendra Singh R/o village- Laguni, P.S.-
Panapur, District- Saran... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr.Ajay Kumar

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner who is in custody since 12.10.2019 has
filed the instant application for grant of bail in connection with
Bhagwanpur Hat P.S. Case No. 199 of 2019 (District-Saran)
registered for the offence punishable under sections 399,402,413
and 414 of the Indian Penal Code and sections 25(1-b)a,26 and
35 of the Arms Act.

As per the allegation in the FIR, while the Alto car
was stopped by the police personnel in course of chasing, out of
the six accused persons, three persons including this petitioner is
stated to have escaped. It is stated that from amongst three
persons caught at the spot, from the possession of one accused a
loaded country made pistol is said to have been recovered. It is
further stated that a confessional statement was made by one of
the arrested persons before the police who had stated that the
petitioner was amongst one of the three accused who escaped.

It is submitted by learned counsel for the petitioner



that the confession of co-accused before the police has no value. It is incorrectly stated that two mobile phones have been recovered from the possession of the petitioner. The petitioner is in custody since 12.10.2019 and has no criminal antecedent. It is finally stated that one of the three persons who caught at the place of occurrence namely Sandeep Kumar has been enlarged on bail by order dated 5.12.2019 passed in Cr.Misc.no.80028 of 2019

The application for bail was opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including grant of bail to similarly situated accused, the Court is inclined to grant bail to the petitioner. Let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Siwan in connection with Bhagwanpur Hat P.S. Case No. 199 of 2019 (District-Siwan).

(Partha Sarthy, J)

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