

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19431 of 2020

Arising Out of PS. Case No.-158 Year-2019 Thana- BATHNAHA District- Sitamarhi

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Dipak Kumar @ Lakhan Son of Ashok Prasad Resident of Village -
Basbariya, Krishna Nagar Mehsaul West, Ward No. 2, P.S.- Mehsaul (O.P.),
District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

For the Opposite Party/s : Mr. Bharat Lal, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 04-06-2020 Heard learned counsel for the petitioner and learned APP
for the State through video conferencing.

The petitioner who is in custody since 27.7.2019 has filed the instant application for grant of regular bail in connection with Bathnaha P.S Case no. 158 of 2019 registered under sections 399, 414 and 402 of the Indian Penal Code and sections 25(1-B)(a), 26 and 35 of the Arms Act.

As per allegation in the FIR, on seeing the police personnel, the accused persons made an attempt to escape but were caught. It is stated that a loaded pistol with four live cartridges was recovered from the possession of the petitioner.

It is submitted by learned counsel for the petitioner that the allegation of recovery is incorrect and he has been falsely implicated in the case. The petitioner is in custody since 27.7.2019.

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



Having heard learned counsel for the parties and taking into consideration that the petitioner has remained in custody for more than 10 months, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Bathnaha P.S. Case no. 158 of 2019 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi.

(Partha Sarthy, J)

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