

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22135 of 2020

Arising Out of PS. Case No.-85 Year-2019 Thana- KHIRI MORE District- Patna

SUJIT KUMAR Son of Nagendra Prasad Resident of Village- Nirakhpur,
P.S.- Khiri More, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Sinha
For the Opposite Party/s : Ms. Anita Kumari Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 04-09-2020 The present petition has been taken up for consideration through the mode of Video Conferencing in view of the prevailing situation on account of COVID-19 Pandemic.

Heard the learned counsel for the petitioner and Ms. Anita Kumari Singh, the learned APP for the State.

The petitioner seeks regular bail in connection with Khiri More PS case no. 85 of 2019 instituted for the offences punishable under Sections 120B, 307, 379, 411, 115 of Indian Penal Code and 25(1-b)a, 26, 35 of Arms Act.

The allegation is regarding recovery of one countrymade pistol and five live cartridges from the petitioner when he was apprehended by the police.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely



implicated in the present case, is having a clean antecedent and is languishing in custody since 19.10.2019. Lastly, it is submitted that the co-accused person has already been granted bail by a co-ordinate Bench of this Court vide order dated 02.03.2020, passed in Cr. Misc. no. 14381 of 2020.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the period of incarceration of the petitioner herein as also the fact that he is having a clean antecedent, the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-III, Danapur, Patna in connection with Khiri More PS case no. 85 of 2019.

(Mohit Kumar Shah, J)

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