

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27475 of 2020

Arising Out of PS. Case No.-483 Year-2018 Thana- SAHEBGANJ District- Muzaffarpur

ABHISHEK KUMAR S/o Late Pawan Singh Resident of Village-Ramdauli,
P.S.-Biddupur, District-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar @ S.K.

For the Opposite Party/s : Mr. Ashok Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 02-11-2020 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, requiring social distancing.

Heard the learned counsel for the petitioner and Shri Ashok Kumar, the learned A.P.P. appearing for the State.

The petitioner seeks regular bail in connection with Sahebganj P.S. Case No. 483 of 2018 for the offence punishable under Sections 399/ 402 of the Indian Penal Code and Sections 25(1-b)a/26/35 of the Arms Act.

The allegation is regarding the petitioner and his associates having engaged in hatching a plan to loot the vehicles plying on the road, however, upon secret information received by the police, the police team had reached at the alleged place of occurrence and had arrested the petitioner and one other accused person and as far as the petitioner is concerned, upon search,



one country made pistol and three cartridges were recovered.

The learned counsel for the petitioner has submitted that the petitioner is innocent and is languishing in custody since 27.12.2018. It is further submitted that the petitioner has been falsely implicated in the present case. The petitioner is stated to be an accused in one more case, but is on bail in the said case.

Per contra, the learned Additional Public Prosecutor has vehemently opposed the prayer for regular bail, made by the petitioner.

Having regard to the facts and circumstances of the case, considering the submissions advanced by the learned counsel for the parties and taking into account the period of incarceration of the petitioner herein, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to be released on regular bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned A.C.J.M.- 1st, West, Muzaffarpur in connection with Sahebganj P.S. Case No. 483 of 2018.

(Mohit Kumar Shah, J)

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