

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25038 of 2020

Arising Out of PS. Case No.-18 Year-2020 Thana- BODHGAYA District- Gaya

ABHISHEK KUMAR SINHA, aged about 24 years, Male, S/o Ganesh Prasad Sinha @ Ramtavakya Prasad Sinha, Resident of Village- Ghorhad More, P.S.- Madanpur, Distt.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

5 06-11-2020 Heard Mr. Sanjay Kumar Sharma, the learned counsel for the petitioner and Mr. Mukesh Kumar Singh, the learned Additional P.P. through video conferencing.

The petitioner seeks bail in Bodh Gaya P.S. Case No.18 of 2020, registered under Section 414 of the Indian Penal Code and under Sections 25(1-b) A/26/35 of the Arms Act.

The SHO of Bodh Gaya in his written report disclosed that on 11.01.2020 at 8.00 in the night Rahul Pandey was interrogated. Rahul Pandey disclosed that accused persons were hatching up a conspiracy in the house of Gauri Shankar Pandey @ Kittu Pandey to kill Chunchun Pandey and on such information, the informant and other police officials raided the house of Gauri Shankar Pandey. Six persons including the petitioner, Abhishek Kumar Sinha were apprehended. From possession of the petitioner, one loaded country made pistol, two mobiles, Rs.42,300/- and a visiting card of a news channel were recovered.



Learned counsel for the petitioner submits that the petitioner is a student. On the same date, two cases, Bodh Gaya P.S. Case No.17 of 2020 and the present case, Bodh Gaya P.S. Case No.18 of 2020 were registered. The petitioner is also accused in Bodh Gaya P.S. Case No.333 of 2019, registered under Sections 326 and 307 of the Indian Penal Code. The petitioner has got no other criminal case pending against him. It is further submitted that the petitioner is in jail for the last ten months for recovery of one loaded country made pistol.

The learned Additional P.P., however, opposed the prayer for bail.

Taking into consideration that the petitioner although was apprehended from the house of Gauri Shankar Pandey, but from his possession one loaded country made pistol besides other articles were recovered and for that the petitioner has remained in jail for about ten months, petitioner, namely, Abhishek Kumar Sinha is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Gaya in connection with Bodh Gaya P.S. Case No.18 of 2020.

(Prabhat Kumar Jha, J)

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